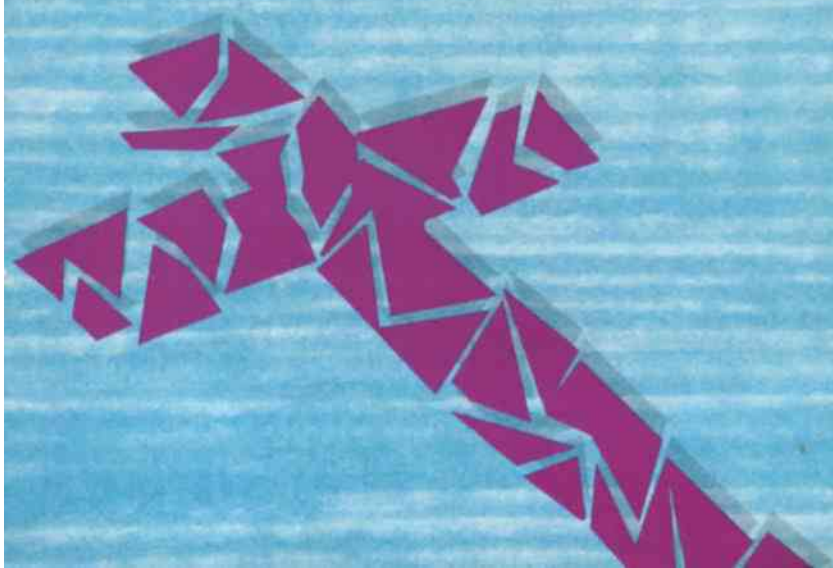


# *An Introduction To Moral Theology*

**William E. May**

Foreword by Cardinal James A. Hickey



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**William E. May**

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*To Christopher Michael May, my first grandchild,  
and to other grandchildren-to-be  
and children of their generation.*

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## ***Key to Abbreviations of Biblical Books*** ***(in alphabetical order)***

### **Old Testament Books**

Am — Amos	1 Kgs — 1 Kings
Bar — Baruch	2 Kgs — 2 Kings
1 Chr — 1 Chronicles	Lam — Lamentations
2 Chr — 2 Chronicles	Lv — Leviticus
Dn — Daniel	Mal — Malachi
Dt — Deuteronomy	1 Mc — 1 Maccabees
Eccl — Ecclesiastes	2 Mc — 2 Maccabees
Es — Esther	Mi — Micah
Ex — Exodus	Na — Nahum
Ez — Ezekiel	Neh — Nehemiah
Ezr — Ezra	Nm — Numbers
Gn — Genesis	Ob — Obadiah
Hb — Habakkuk	Prv — Proverbs
Hg — Haggai	Ps — Psalms
Hos — Hosea	Ru — Ruth
Is — Isaiah	Sg — Song of Songs
Jer — Jeremiah	Sir — Sirach
Jb — Job	1 Sm — 1 Samuel
Jdt — Judith	2 Sm — 2 Samuel
Jgs — Judges	Tb — Tobit
Jl — Joel	Wis — Wisdom
Jon — Jonah	Zec — Zechariah
Jos — Joshua	Zep — Zephaniah

### **New Testament Books**

Acts — Acts of the Apostles	Mk — Mark
Col — Colossians	Mt — Matthew
1 Cor — 1 Corinthians	Phil — Philippians
2 Cor — 2 Corinthians	Phlm — Philemon
Eph — Ephesians	1 Pt — 1 Peter
Gal — Galatians	2 Pt — 2 Peter
Heb — Hebrews	Rom — Romans
Jas — James	Rv — Revelation
Jn — John	1 Thes — 1 Thessalonians
1 Jn — 1 John	2 Thes — 2 Thessalonians
2 Jn — 2 John	Ti — Titus
3 Jn — 3 John	1 Tm — 1 Timothy
Jude — Jude	2 Tm — 2 Timothy
Lk — Luke	



# Foreword

It is a pleasure for me to introduce Dr. William May's *An Introduction to Moral Theology*. In succinct and perceptive fashion, Dr. May introduces the reader to fundamental notions of Catholic moral teaching. I commend this volume to the clergy, to seminarians, to catechists, and to all who wish to discover more profoundly what it means to follow the Lord Jesus.

We live in an age that seems to have lost its moral moorings. Too many people are genuinely confused about what is right and what is wrong; some doubt that an authentic standard for judging human behavior exists. Church teachings, particularly those related to the transmission and preservation of human life, often meet with rejection. All too often Catholic morality is regarded as a series of arbitrary obligations having nothing to do with our dignity as human persons called to eternal life in Christ Jesus.

This introduction counters such confusion with clarity and depth. It helps us understand how the Church's moral teaching is rooted in the nature of the human person created in the image and likeness of God. Indeed, as the grace of Christ takes hold of our lives we see ever more clearly the wisdom of the Church's moral teaching.

Dr. May has devoted his life to studying the Church's moral teaching and to communicating that teaching to others. He is a man of deep faith and scholarship and we are privileged that he has shared his wisdom with us. This latest book of his deserves a very warm reception.

+James Cardinal Hickey  
*Archbishop of Washington*

# Introduction

Our moral life can, I believe, be described as an endeavor, cognitively, to come to know who we are and what we are to do if we are to be fully the beings we are meant to be, and, conatively, to do what we ourselves come to know we are to do if we are to be fully the beings we are meant to be. Describing the moral life in this way rests, of course, on some presuppositions. It presupposes that we do not know, when we come into being, who we are and what we are to do if we are to be fully the beings we are meant to be, but that we have the capacity to find out. It further presupposes that we are not yet, when we come into existence, fully the beings we are meant to be, but that we are capable of becoming such. In addition, it presupposes that we have a destiny, an end, to which we are summoned in the depths of our being, and that we can discover what this destiny, this end, is. And finally, it presupposes that we are in charge of our destiny, that we can, through our own self-determining choices, shape our own lives.

In both our cognitive endeavor to come to know who we are and what we are to do if we are to be fully the beings we are meant to be and our conative endeavor to do what we come to know we are to do if we are to be fully the beings we are meant to be, we can be both crippled or disabled and helped or enabled. Sin — original, personal, social — is, as we shall see, the great disabling factor in these endeavors. The God made known in Jesus Christ is, as we shall also see, the great enabling factor in these endeavors. And an enabling factor too is the Church, Jesus' beloved spouse. All this is matter that will be taken up in the book.

The systematic effort to discover who we are and what we are to do if we are to be fully the beings we are meant to be is, when carried out exclusively by the use of the human intelligence, the domain of moral philosophy or ethics. When this effort is systematically undertaken by those whose human intelligence is informed by Christian faith, it is the work of moral theology. As a theological discipline, moral theology seeks to determine the relationship between truths of faith and other propositions which are not revealed but which seem true. As theology, moral theology reflects upon the sources in which the truths of faith are found — Scripture and tradition. Its more precise point, as distinguished from what used to be called dogmatic theology and what is

today frequently called “systematic” or contemplative theology, is to determine how the truths of Christian faith enable us to shape our lives in such a way that we can indeed become fully the beings we are meant to be, the beings God himself calls us to be.

Vatican Council II called for a renewal in theology, which should, it maintained, be taught “in the light of faith and under the guidance of the Church’s magisterium” (*Optatam Totius*, n. 16). It called in particular for a renewal of moral theology, a renewal in which there should be a “livelier contact with the mystery of Christ and the history of salvation” and in which moral theology “should be more thoroughly nourished by scriptural teaching” so that the nobility of the Christian’s calling and the obligation of Christians “to bring forth fruit in charity for the life of the world” can be more deeply appreciated (*ibid.*).

I believe that the central biblical themes of crucial significance to moral theology and moral life are those of creation, sin, incarnation and redemption, and eschatology. From Scripture we learn that human persons are utterly unique in the material universe, since they alone, of all material creatures, have been created in the image and likeness of God. They are *persons* whom God wills *in* themselves. Precisely because they are persons, endowed with intelligence and free choice, they are inwardly capable of receiving from God the gift of his own divine life. This is a theme that is central to the issues to be taken up in Chapter One. Moreover, because they are intelligent and free, they are capable of inwardly participating in God’s plan for human existence, a plan conceived in wisdom and in love. Their active participation in God’s wise and loving plan, his “eternal law,” is precisely what is meant by “natural law,” a matter that will be discussed in depth in Chapters Two and Three. The terrible reality of sin is another central truth set forth in the Scriptures, and Chapter Four is devoted to a study of sin and its impact upon our moral life. But the great teaching of Scripture is that God himself became man precisely in order to rescue us from sin and enable us to be fully the beings he calls us to be. The meaning of the incarnation and our redemption in and through Christ is the heart of Chapter Five, which is also concerned with the theme of eschatology or “last things.” Jesus came to initiate God’s kingdom or reign. This kingdom, which will be fully realized only when Jesus comes again in glory to judge the living and the dead, is already present in the world, and our vocation as Christians is to cooperate with Jesus in his redemptive work and in this way build up God’s kingdom. This theme too is central to Chapter Five. Finally, Jesus is

personally present on earth today in and through his bride, the Church, his mystical body, made up of his people, i.e., those who have become one with him through baptism. Thus the role of the Church in our moral life is the major concern of the sixth and final chapter.

Since the Second Vatican Council many books on moral theology have appeared: some very excellent; others, in my judgment, not. In my opinion, the most important and helpful study of moral theology published after the Council is Germain Grisez's monumental *Christian Moral Principles*, Volume 1 of *The Way of the Lord Jesus* (Chicago: Franciscan Herald Press, 1983). Grisez's splendid work, in which I was privileged to collaborate, is thoroughly steeped in the Scriptures, the Catholic tradition, particularly the thought of St. Thomas Aquinas, and in the teaching of Vatican Council II. It is a work of great originality and creativity, rich in documentation and argumentation, and completely in accord with the authoritative moral teaching of the Church. It is a magnificent resource and should be studied carefully by everyone interested in Catholic moral theology. It will be followed by other volumes taking up more specific issues in moral theology.

Another excellent study in moral theology is Servais Pinckaers's *Les sources de la morale chrétienne: Sa methode, son contenu, son histoire* (Fribourg: Editions Universitaires Fribourg/Paris: Editions du Cerf, 1985). This erudite work provides readers with an excellent history of the development of moral theology within the Catholic tradition and develops in a masterful way a vision of the moral life rooted in the thought of St. Thomas, the Scriptures, and the best of the Catholic tradition.

Among other very helpful works in moral theology characterized by an endeavor to renew this field of study in accord with the teaching of Vatican Council II are Carlo Caffarra's *Living in Christ* (San Francisco: Ignatius Press, 1987) and several works by the Spanish theologian Ramón García de Haro, including his *La Conciencia Moral* (second edition; Madrid: Ediciones Rialp, 1978; translated and further revised into Italian as *Legge, Coscienza & Libertà* [Milano: Edizioni Ares, 1984]) and his Italian work, *L'Agire Morale e le Virtù* (Milano: Edizioni Ares, 1989). Unfortunately, none of García de Haro's works have yet appeared in English; my hope is that shortly some of his studies will be made available in English because of the importance of what he has to say.

Several other works in moral theology represent what has come to be known as the "proportionalist" school of thought — a school of

thought that, in my opinion, is very much mistaken in its understanding of the Christian moral life. To some extent the many works of Charles E. Curran reflect this revisionist moral theory, although Curran's own work, marked by his "theology of compromise," is not the most representative of proportionalist thought. The most representative exponents of proportionalism are Franz Böckle, Bruno Schüller, and Josef Fuchs in Germany, Louis Janssens in Belgium, and Richard McCormick in the United States. Two textbooks in moral theology widely used in the United States are rooted in proportionalist thought, namely, Timothy E. O'Connell's *Principles for Catholic Morality* (first edition; New York: Seabury, 1978) and Richard M. Gula's *Reason Informed by Faith* (New York: Paulist Press, 1989).<sup>\*</sup> In part, the present work is intended to provide an alternative moral vision to that provided by such authors as O'Connell and Gula.

The present volume, which is heavily indebted to the work of Grisez, is offered as an introduction to moral theology. It is an effort to answer the question "Who are we and what are we to do if we are to be fully the beings we are meant to be?" It is, I believe, rooted in the Scriptures as these are understood by the Church and in the thought of St. Thomas Aquinas as developed and deepened by contemporary Catholic scholars such as Grisez, García de Haro, and Pinckaers. It is based on the conviction that human persons are uniquely distinctive beings in the material universe. Human persons are beings endowed with intelligence and freedom of choice, i.e., they are beings radically capable of coming to know the truth and of distinguishing between true and false propositions and of determining their own lives by their own free choices. I hold that these truths can be firmly established by the exercise of human intelligence, and I think that works such as Mortimer Adler's *The Difference of Man and the Difference It Makes* (New York: Meridian Books, 1968) and Larry Azar's *Man: Computer, Ape, or Angel?* (Hanover, MA: Christopher Publications, 1989) are very helpful in establishing these truths. But, in addition, as noted already, Christian faith teaches us that human persons are beings created in the image and likeness of God. Human persons are, as it were, the created "words" of God himself, the created words that his Uncreated Word, the Second Person of the Blessed Trinity, became precisely to show us how deeply God loves us. Christian faith teaches us that God

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<sup>\*</sup>In 1990 O'Connell published a revised edition of his book (Harper and Row). In it he repudiates, fortunately, proportionalism. There are, however, ambiguities and confusions in his work.

made us the kind of beings we are — human beings — precisely so that there could be created beings to whom he could communicate his own life and love. Creation is for covenant; nature is for grace. Our destiny is life eternal in union with God himself. Through union with Jesus, his Son and our Brother, we are made truly children of God, capable of living a new kind of life, one worthy of members of God's own family. Thus our moral life is a response to God's call to be truly his images, true to the Word that he has entrusted to us. We are to walk worthily in the vocation to which we have been called, and we can do so because God's only Son has come to redeem us from sin and to enable us to be fully the beings we are meant to be.

In Chapter Three I have adapted and revised material originally published in my 1989 Père Marquette Lecture in Theology, *Moral Absolutes: Catholic Tradition, Current Trends, and the Truth* (Milwaukee: Marquette University Press, 1989). Chapter Four incorporates material first published in my article entitled "Sin," which appeared in *New Dictionary of Theology*, edited by Joseph Komonchak and others (Wilmington, DE: Michael Glazier, 1987). Permission to use this material is gratefully acknowledged.

My hope is that this book will help readers come to an initial understanding of what the Christian moral life is all about. May it also lead them to pursue the issues taken up in it more deeply by having recourse to the writings of such doctors of the Church as St. Augustine and St. Thomas and to such contemporary writers as Germain Grisez, Ramón García de Haro, Servais Pinckaers, and Karol Wojtyła/Pope John Paul II.

In all likelihood Pope John Paul II will issue an encyclical on the Christian moral life in the very near future. At the time of this writing, December of 1990, it has not yet appeared. I look forward to it and intend, in revisions of this text, to incorporate its teaching which, I trust, is in no way contradicted by what is said here.

I want to thank those who have helped me in preparing this work. Germain Grisez read the complete text of earlier drafts and made many excellent suggestions for improving the book. John Finnis was especially helpful in strengthening the section devoted to the truth of moral absolutes. Others who helped were Ramón García de Haro, Aurelio Ansaldi, and Ronald Lawler. I am grateful to them all.

CHAPTER  
**ONE**

# Human Dignity, Free Human Action, and Conscience

## ***1. Two Kinds of Human Dignity***

According to the Catholic tradition, as found, for example, in St. Thomas Aquinas<sup>1</sup> and in the teachings of Vatican Council II, there is a twofold dignity proper to human beings: one is intrinsic and an endowment or gift; the other is also intrinsic, but it is an achievement or acquisition.

The first dignity proper to human beings is the dignity that is theirs simply as members of the human species, which God called into existence when, in the beginning, he “created man in his own image . . . male and female he created them” (Gn 1.27).<sup>2</sup> Every living human body, the one that comes to be when new human life is conceived, is a living image of the all-holy God. Moreover, in creating man, male and female, God created a being inwardly capable of receiving our Lord’s own divine life. God cannot become incarnate in a pig or a cow or an ape because these creatures of his are not inwardly capable of being divinized. But, as we know from God’s revelation, he can become incarnate in his human creature, and in fact he has freely chosen to become truly one of us, for his Eternal and Uncreated Word, true God of true God, became and is a human being, a man. Thus every human being can rightly be called a “created word” of God, the created word that his Uncreated Word became and is precisely to show us how deeply we are loved by the God who formed us in our mothers’ wombs (cf. Ps 139.11-19). Every human being, therefore, is intrinsically valuable, surpassing in dignity the entire material universe, a being to be revered and respected from the very beginning of its existence.<sup>3</sup>

This intrinsic, inalienable dignity proper to human beings is God’s gift, in virtue of which every human being, of whatever age or sex or

condition, is a being of moral worth, an irreplaceable and nonsubstitutable person. Because of this dignity a human being, as Karol Wojtyla has said, “is the kind of good that does not admit of use and cannot be treated as an object of use and as such a means to an end.” Because of this dignity a human being “is a good toward which the only adequate response is love.”<sup>4</sup>

When we come into existence we *are* already, by reason of this inherent dignity, persons; we do not “become” persons after a period of development. As God’s “created words,” as persons, we are endowed with the capacity to discover the truth and the capacity to determine our own lives by freely choosing to conform our lives and actions to the truth. A baby (born or preborn) does not, of course, have the *developed* capacity for deliberating and choosing freely, but it has the *natural* capacity to do so because it is human and personal in nature.<sup>5</sup> Yet when we come into existence we are *not yet* fully the beings we are meant to be. And this leads us to consider the second sort of dignity proper to human beings, a dignity that is also intrinsic but is an achievement, not an endowment.

The second kind of dignity is the dignity to which we are called as intelligent and free persons capable of determining our own lives by our own free choices. This is the dignity that we are to give to ourselves (with the help of God’s unfailing grace) by freely choosing to shape our lives and actions in accord with the truth. In other words, we give to ourselves this dignity and inwardly participate in it by making good moral choices, and such choices are in turn dependent upon true moral judgments.

The nature of this dignity was beautifully developed at Vatican Council II, and a brief summary of its teaching will help us grasp the crucial importance of true moral judgments and good moral choices if we are to respect our God-given dignity and participate in the dignity to which we are called as intelligent and free persons.

In a document hailed by almost everyone as one of the most important of the entire Council, namely, the “Declaration on Religious Liberty” (*Dignitatis Humanae*), the Council Fathers declared that “the highest norm of human life is the divine law — eternal, objective, and universal — whereby God orders, directs, and governs the entire universe and all the ways of the human community according to a plan conceived in wisdom and love.” Immediately after affirming this truth, the Council Fathers went on to say: “Man has been made by God to participate in this law, with the result that, under the gentle disposition



of divine providence, he can come to perceive ever increasingly the unchanging truth” (*Dignitatis Humanae*, n. 3). Precisely because he can come to “perceive ever increasingly the unchanging truth,” man “has the duty, and therefore the right, to seek the truth” (*ibid.*). The truth in question here is evidently not a contemplative or speculative truth but a truth that is to shape and guide human choices and actions, i.e., a *practical* truth.

This passage concludes by saying that “on his part man perceives and acknowledges the imperatives of the divine law through the mediation of conscience” (*ibid.*). The role of conscience in helping us to know the “unchanging truth” of God’s divine and eternal law and its “imperatives” is developed in another document of the Council, the “Pastoral Constitution on the Church in the Modern World” (*Gaudium et Spes*). There we find the following important passage: “Deep within his conscience man discovers a law which he has not laid upon himself but which he must obey. The voice of this law,<sup>6</sup> ever calling him to love and to do what is good and to avoid evil, tells him inwardly at the right moment, do this, shun that. For man has in his heart a law written by God. *His dignity lies in observing this law*, and by it he will be judged. His conscience is man’s most secret core, and his sanctuary. There he is alone with God, whose voice echoes in his depths. By conscience, in a wonderful way, that law is made known which is fulfilled in the love of God and of one’s neighbor” (n. 16).

Fidelity to conscience means “a search for the truth” and for “true solutions” to moral problems. Conscience, this passage notes, can indeed err “through invincible ignorance without losing its dignity” (so long as there is sufficient “care for the search for the true and the good”); but “to the extent that a correct conscience holds sway, persons and groups turn away from blind choice and seek to conform to the objective norms of morality” (*ibid.*).

Such, according to Vatican Council II, is the second kind of dignity proper to human persons. This dignity is acquired by diligently seeking the truth about what we are to do if we are to be fully the beings we are meant to be and by shaping our lives freely in accordance with this truth. According to the Council, the human person has the capacity of inwardly participating in God’s divine and eternal law — the “highest norm of human life.” It maintains that this capacity of human persons is related to their “conscience,” for it is through the “mediation” of conscience that human persons come to know ever increasingly the “imperatives” of God’s law. Later in this chapter I will

return to the subject of conscience in order to consider it more fully, and in the next chapter I will examine the meaning of natural law as humankind's participation in God's divine and eternal law. Here I wish to look more closely at the meaning of free choice, for it is by freely choosing to observe God's law as it is made known to us that we acquire the dignity to which we are called as intelligent and free persons.

## **2. Free Choice**

A central truth of Christian revelation is that human persons, created in the image and likeness of God, have the power of free choice. In order to create a being to whom he could give his own life, God created persons (angelic and human) who have the power to make or break their own lives by their own free choices. Persons are of themselves, *sui iuris*, i.e., in their own power or dominion. Their choices and actions are their own, not the choices and actions of others. If God's offer of his own life and friendship is to be a gift, it must be freely received; it cannot be forced on another or settled by anything other than the free choices of the one who gives and the one to whom it is given.

The truth that human persons have the capacity to determine their own lives through their own free choices is a matter of Catholic faith. It is central to the Scriptures, as the following passage from the book of Sirach, cited by the Fathers of Vatican II in *Gaudium et Spes* (n. 17), shows: "Do not say, 'Because of the Lord I left the right way'; / for he will not do what he hates. / Do not say, 'It was he who led me astray'; / for he has no need of a sinful man. / The Lord hates all abominations, / and they are not loved by those who fear him. / It was he who created man in the beginning, / and he left him in the power of his own inclination. / If you will, you can keep the commandments, / and to act faithfully is a matter of your own choice. / He has placed before you fire and water: / stretch out your hand for whichever you wish. / Before a man are life and death, / and whichever he chooses will be given to him. / For great is the wisdom of the Lord; / he is mighty in power and sees everything; / his eyes are on those who fear him, / and he knows every deed of man. / He has not commanded any one to be ungodly, / and he has not given any one permission to sin" (Sir 15.11-20).

The reality of free choice, so central to the biblical understanding of man, was clearly affirmed by Church Fathers such as Augustine<sup>7</sup> and

by all the great scholastics. As St. Thomas put the matter, it is only through free choice that human persons are masters of their own actions and in this way beings made in the image and likeness of God.<sup>8</sup> The great truth that human persons are free to choose what they are to do and, through their choices, to make themselves *to be* the persons that they are was solemnly defined by the Council of Trent.<sup>9</sup> Vatican Council II stressed that the power of free choice “is an exceptional sign of the divine image within man” (*Gaudium et Spes*, n. 17).

Germain Grisez, who in collaboration with others has authored an important work defending the reality of free choice against the attacks of contemporary determinist philosophers,<sup>10</sup> rightly notes that free choice is an existential principle or source of morality. It is an existential principle of moral good and evil because moral good and evil depend for their being on the power of free choice. This is so because what we do is *our* doing and can be *evil* doing or its opposite only if we freely choose to do it.<sup>11</sup> A dog or a cat or a chimp cannot be morally good or evil; human persons can, and they can because they have the power of free choice. It is through free choice that human persons make themselves *to be* the sort of persons that they are, that they make themselves *to be* morally good or morally bad persons. It is for this reason that free choice is an existential principle of morality.

Free choice is experienced when one is aware of a conflict. Different possible alternatives of action are present to one, but they cannot all be realized simultaneously. One deliberates about these possibilities, but deliberation cannot settle the matter. Deliberation cannot determine which of the alternatives promises unambiguously the greater good (although, as we shall see later, one can determine which alternatives are *morally good* and which are not), and it cannot do so precisely because each alternative, to be appealing and eligible as a possibility of choice, must promise participation in some good that is simply incommensurable with the good promised by other alternatives. For example, if one is thinking about buying a house and wants a house (a) within a certain price category, (b) with four bedrooms and a family room, (c) within walking distance of church and school, and (d) proximate to good public transportation, and if one house out of four that are examined promises all these benefits (a, b, c, d) whereas none of the other three houses do so, then no choice is possible or even necessary, so long as one is still willing to buy a house fulfilling these conditions. Of the alternatives available only one has all the benefits one is looking for; hence the appeal of the other houses

— what makes them alternatives of choice — simply disappears. They are no longer eligible or choosable because they promise no good that is not present in the house that has all the benefits one is looking for. But if one is in the market for buying a house and indeed must buy a house and none of the houses available has *all* the “goods” or benefits one wants, then one will have to make a choice from among those that offer some of these benefits; each of these houses is choosable because each offers some good or benefit incommensurable with the good or benefit offered by the other houses. And ultimately the matter is settled by the choice itself. As Grisez says, “One makes a choice when one faces practical alternatives, believes one can and must settle which to take, and takes one. The choice is free when choosing itself determines which alternative one takes. . . . Only one’s choosing determines oneself to seek fulfillment in one possibility rather than another. Inasmuch as one determines oneself in this way, one is of oneself.”<sup>12</sup>

The experience of free choice can be summarized in the following way. First, a person is in a situation where he or she is attracted by alternative possibilities and there is no way to eliminate the incompatibility of the different alternatives or to limit the possibilities to only one. A person can do this or do that, but not both; they are real, i.e., choosable but incompatible possibilities. Second, the person realizes that it is up to him or her to settle the matter and determine which possibility is realized. Third, the person is aware of making the choice and aware of nothing that “makes” him or her make it. In other words, one is aware that one is free in settling the matter, in making the choice among the alternative possibilities.

### ***3. The Significance of Human Action and the Meaning of Character***

Free choices bear upon actions that we can do. But the actions in question are not simply physical events in the material world that come and go, like the falling of rain or the turning of the leaves. The actions at stake are not something that “happen” to a person. They are, rather, the outward expressions of a person’s choice, the disclosure or revelation of that person’s moral identity, his or her being as a moral being. For at the core of an action, as human and personal, is a free, self-determining choice, which as such is something spiritual and abides within the person, determining the very being of the person. The Scriptures, particularly the New Testament, are very clear about this. Jesus taught that it is not what enters a person that defiles him or

her; rather, it is what flows from the person, from his or her heart, from the core of his or her being, from his or her choice (cf. Mt 15.10-20; Mk 7.14-23). We can say that a human action — i.e., a free, intelligible action, whether good or bad — is the adoption by choice of some intelligible proposal and the execution of this choice through some exterior act. But the core of the action is the free, self-determining choice that abides in the person, making him or her *to be* the kind of person he or she is. Thus, I become an adulterer, as Jesus clearly taught (Mt 5.28), when I look at a woman with lust, i.e., when I adopt by choice the proposal to commit adultery or to think with satisfaction about doing it, even if I do not execute this choice externally.

This illumines the *self-determining* character of free choice. It is in and through the actions we freely choose to do that we give to ourselves an identity, for weal or for woe. This identity abides in us until we make other, contradictory kinds of choices. Thus, if I choose to commit adultery, I make myself *to be* an adulterer and I remain an adulterer until, by another free and self-determining choice, I have a change of heart (*metanoia*) and repent of my deed. Even then I remain an adulterer, for I have, unfortunately, given myself that identity, but now I am a *repentant* adulterer, one who has, through free choice, given to himself a new kind of identity, the identity of one who repudiates his freely chosen adultery, repents of it, and is now determined, through free choice and with the help of God's never-failing grace, to amend his life and *to be* a faithful, loving spouse.

We might say that our actions are like “words” that we speak and through which we give to ourselves our moral character, our identity as moral beings.<sup>13</sup> Character, as Grisez notes, “is the integral existential identity of the person — the entire person in all his or her dimensions as shaped by morally good and bad choices — considered as a disposition to further choices.”<sup>14</sup> We shape our character, our identity as moral beings, by what we freely choose to do. We are free to choose what we are to do and, by so choosing, to make ourselves *to be* the kind of persons that we are. But we are not free to make what we choose to do, good or evil, right or wrong. Our choices are good or bad insofar as they conform to what Vatican Council II called the “highest norm of human life,” God's divine and eternal law, and its “imperatives,” which are made known to us through the mediation of conscience. Thus it is imperative for us to understand the role that conscience has to play in our moral lives and how, through its mediation, we participate in God's divine and eternal law.

#### 4. *Conscience and Our Moral Life*

Today the term *conscience* has many meanings, among them, that of a “psychological conscience.” When conscience is understood in this way, it is frequently identified with the Freudian superego, which is, as it were, the distillate of parents’ influence upon their children. The superego is described by Freud in the following way: “The long period of childhood during which the growing human being lives in dependence on his parents leaves behind it a precipitate, which forms within his ego a special agency in which this parental influence is prolonged. It has received the name of ‘superego.’ The parents’ influence naturally includes not only the personalities of the parents themselves but also the racial, national, and family traditions handed on through them, as well as the demands of the immediate social milieu which they represent.”<sup>15</sup>

Conscience understood in this sense is essentially related to feelings of moral approval or disapproval. In this sense conscience is the result of a process of psychological conditioning; and the spontaneous reactions, impulses, and feelings associated with conscience understood in this sense may be either realistic and healthy or illusory and pathological. Conscience in this sense is shaped largely by nonrational factors, and it is frequently found to condemn what is not wrong or to approve what is not right. “Psychological conscience,” therefore, cannot of itself provide a person with moral guidance and there can be no obligation to follow conscience understood in this sense.

Obviously, the Fathers of Vatican Council II, in using the term *conscience* to designate the agency whereby human persons participate in God’s eternal and divine law, were using it in a much different sense. For them, conscience designates first and foremost our *awareness of moral truth*. The documents from which passages have been cited, moreover — namely, *Dignitatis Humanae* and *Gaudium et Spes* — make it clear that there are different levels of our awareness of moral truth. These documents use the term *conscience* to designate different levels of our awareness of moral truth.

In order to grasp properly the different levels of awareness of moral truth to which *conscience*, as used in the documents of Vatican Council II, refers, it will be helpful, I believe, to take into account some perceptive comments on conscience made by the noted Scottish theologian John Macquarrie and to relate his observations to the Council documents’ use of the term *conscience*.

Macquarrie, after noting the ambiguity that at times surrounds the

term *conscience*, observes that it is possible to distinguish several basic levels of conscience when the term is used to designate a person's awareness of moral truth. At one level, it refers to a practical judgment terminating a process of moral deliberation. At this level it designates one's personal and reasoned judgment that a particular course of action is right and therefore morally permissible or that a particular course of action is wrong and therefore morally excluded.<sup>16</sup> *Gaudium et Spes* uses "conscience" in this sense when it says that at times the voice of God's law, made known to us through our conscience, tells us "to do this, shun that" (n. 16). Conscience in this sense does not refer to one's "feelings" of approval or disapproval, nor to some mysterious nonrational agency; rather, here it refers to reflective moral judgment that serves to bring to a conclusion a process of moral deliberation. Since the judgment of conscience is the result of a person's reasoned and thoughtful evaluation about the morality of a particular course of action, conscience in this sense can be called "particular moral conscience." The judgment that one makes can be about an action that one is considering doing or not doing (and in this instance some theologians rightly speak of *antecedent* conscience); or it can be about the morality of an action that one has already done (and in this instance it is referred to as *consequent* conscience).<sup>17</sup>

Here it is important to stress that conscience, understood at this level of moral awareness, is a judgment or act of the intellect. It thus cannot be a mere subjective feeling or option to act and live in a certain way. In saying this I am in no way denying the importance that affections and feelings can have in our moral life, nor am I saying that they are irrelevant in making judgments of conscience.<sup>18</sup> My point is simply that upright moral life requires one's personal conviction that given acts are or are not in accord with correct moral standards. Concern for the truth is essential here. Intelligent judgment, not nonrational feelings or preferences, should direct human choices and actions. A person is obliged to act in accord with his or her conscience precisely because one of the central meanings of conscience is that it is one's own best judgment about what one ought or ought not to do.<sup>19</sup> This matter will be taken up more fully after other legitimate meanings of conscience have been examined.

At another level, Macquarrie writes, conscience can mean a "broader . . . more generalized knowledge of right and wrong, of good and bad."<sup>20</sup> In this sense conscience is one's personal awareness of basic moral principles or truths. Vatican Council II refers to con-

science in this sense when it affirms that it is through the mediation of conscience that man comes to perceive ever increasingly the unchanging truth and comes to recognize the demands of God's divine and eternal law (*Dignitatis Humanae*, n. 3). It is to conscience at this level that *Gaudium et Spes* refers when it says that the voice of God's law, made known through conscience, calls upon man to "love and to do what is good and to avoid evil" (n. 16). It is in this sense of the term that one's conscience can be said to be an awareness of the law of God written in the human heart (cf. Rom 2.14-16 and *Gaudium et Spes*, n. 16). At this level conscience can rightly be called *general moral conscience*, for it is an awareness of moral truth not at the level of particular actions and situations but at the level of general principles. Medieval theologians such as St. Thomas had a special term for designating this level of awareness of moral truth, namely, *synderesis* or our habitual awareness of the first principles of practical reasoning and of morality.<sup>21</sup>

Particular moral conscience, or conscience at the level of a practical judgment that one makes about the morality of given acts, is the termination of a process of moral deliberation. General moral conscience, or conscience at the level of one's awareness of the basic principles of morality, is concerned with the moral truths that serve as the starting points or principles for moral deliberation, principles to which one can appeal in order to show the truth of the particular moral conclusions reached in the judgments terminating the process of moral deliberation.

The third level of conscience to which Macquarrie refers is "a special and very fundamental mode of self-awareness — the awareness of 'how it is with oneself.'" <sup>22</sup> At this level conscience is indeed, as the Fathers of Vatican Council II, following Pope Pius XII, put it, "the most secret core and sanctuary of a man, where he is alone with God" (*Gaudium et Spes*, n. 16).<sup>23</sup> The character of conscience as a special mode of self-awareness is indicated by the etymology of the word. Our English term derives from the Latin *conscientia*, which means both *consciousness* and *conscience*. As a special mode of self-awareness, conscience has as its basic function the disclosure of ourselves to ourselves as moral beings. As Macquarrie puts it: "Specifically, conscience discloses the gap between our actual selves and that image of ourselves that we have already in virtue of the 'natural inclination' toward the fulfillment of man's end. Thus conscience is not merely a disclosure; it is also . . . a call or summons. It is a call to that full



humanity of which we already have some idea or image because of the very fact that we are human at all, and that our nature is to exist, to go out beyond where we are at any given moment. Although we commonly think of conscience as commanding us to *do* certain things, the fundamental command of conscience is to *be*.”<sup>24</sup>

At this level, in other words, conscience is a mode of self-awareness whereby we are aware of ourselves as moral beings, summoned to give to ourselves the dignity to which we are called as intelligent and free beings. This is the level of conscience to which *Dignitatis Humanae* referred when it declared that “. . . all men . . . are by their own nature impelled, and are morally bound, to seek the truth” about what they are to do (n. 2). It is our realization that we are not yet fully the beings God calls us to be and that we are capable of becoming by shaping our lives and actions in accord with the truth. It is the summons, deep within our being, to be fully the beings God wills us to be and to make ourselves to be, by our own choices and actions, lovers of the true and the good. At this level conscience is a dynamic thrust within the person for moral truth.

Because conscience at this level dynamically orients the person to transcend himself or herself by continually progressing to a fullness of being, it is called *transcendental conscience* by some. This is indeed a valid meaning of conscience. Here too, as at the level of particular moral conscience and general moral conscience, “conscience” is concerned with our awareness of moral truth, of the truth that we are called to conform our lives and actions to objective standards of morality so that we can be fully the beings we are meant to be.

There are, however, some theologians who develop a theory of “transcendental conscience” that is seriously flawed. The leading representative of these theologians is Walter Conn. He rightly says that “transcendental” conscience is “the dynamic thrust toward self-transcendence at the core of a person’s very subjectivity, revealing itself . . . as a demand for responsible decision in accord with reasonable judgment.”<sup>25</sup> However, he goes on to claim that authentic moral living “is determined neither by absolute principles nor by arbitrary creativity relative to each situation; authentic living, rather, is defined by a normative structure of consciousness which demands that a person respond to the values in each situation with creativity that is at once sensitive, critical, responsible, and loving.”<sup>26</sup>

Conn is correct, of course, in denying that authentic moral living is determined by “arbitrary creativity relative to each situation.” How-

ever, in this passage he denies that there are basic moral criteria or principles in terms of which one can determine whether one's response is indeed "sensitive," "critical," "responsible," and "loving." His understanding of transcendental conscience seems to make it completely autonomous and unrelated to the other meanings of conscience that have already been considered. By rejecting the crucial role played by the basic moral principles that are made known to us through the mediation of conscience at the level previously considered, Conn makes "transcendental conscience" more similar to a "funny internal feeling" than to a mode of awareness of moral truth. Unless there are basic moral principles, made known to us through the mediation of conscience, it is difficult to see how the "dynamic thrust toward self-transcendence" could be directed toward those goods that are truly perfective of the human person.

A person has the obligation to follow his or her conscience, i.e., to act in accordance with his or her own best judgment of what he or she is to do, precisely because this judgment of conscience is the final judgment that a person makes about the moral goodness or badness of the alternatives possible for him or her. If one were willing to act contrary to this judgment, one would be willing to do what one had personally judged one ought not choose to do. One would thus be willing to be an evildoer if one were willing deliberately to act contrary to one's own best judgment.

There is, indeed, a relationship between the various levels of conscience that have already been considered, and by looking at this relationship we can see clearly why we have the obligation to "follow" our conscience in the sense of acting in accord with the judgment of conscience. We have seen that, at one of its levels, conscience is our awareness of ourselves as moral beings, as persons summoned to act in accordance with the truth and to show ourselves to be lovers of the true and the good and in this way to become fully the beings God wills us to be. But to become what we are meant to be, to become more fully human, we are to do good and avoid evil. The judgment that we make, conscientiously, that *this* act here and now is the good that I am obliged to do or the evil that I am obliged to avoid if I am to be faithful to the "me" that I am in virtue of being human to begin with, is our own personal way of knowing what we must do if we are to answer the call or summons to become what we are meant to be. Moreover, we make the judgment about what we are to do here and now in light of the basic norms of morality of which we are aware. Thus all three

levels of conscience are inherently interrelated, and their interrelationship helps us to see why we are obligated to act in accordance with our own best reasoned judgment. The Catholic theological tradition and, as we have seen, the Fathers of Vatican Council II emphatically affirm that this indeed is a serious moral obligation.<sup>27</sup>

Yet our own judgments about what we are to do can be mistaken. There is thus the serious obligation, stressed by the Council documents that have already been examined, to seek the truth. Our judgment of conscience does not make what we choose to do *to be* morally right and good; in other words, we are not, through our judgment of conscience, the arbiters of good and evil. Our obligation is to conform our judgments of conscience to objective norms of morality, norms that have as their ultimate source, as *Dignitatis Humanae* put it, “God’s divine law — eternal, objective, and universal” (n. 3). It is for this reason that the Council Fathers spoke of a “correct” conscience, declaring, “the more a correct conscience prevails, the more do persons and groups turn aside from blind choice and try to be guided by objective standards of moral conduct” (*Gaudium et Spes*, n. 16).

If the error or mistake in one’s judgment of conscience is not attributable to the person, then acting in accordance with such a judgment of conscience does not make the person to be an evildoer or an evil person, for the person has not, in his or her conscience, ratified or endorsed the evil in the course of action that is chosen. The action will still be wrong, and one who learns later that his or her judgment of conscience was erroneous will have cause for regret (not remorse), and must, of course, reorder his or her life in accord with the knowledge of the truth. Speaking of errors of this kind, the Fathers of Vatican Council II noted: “It often happens that conscience goes astray through ignorance which it is unable to avoid, without thereby losing its dignity” (*Gaudium et Spes*, n. 16). But, as they went on to say, “This cannot be said of the man who takes little trouble to find out what is true and good, or when conscience is by degrees almost blinded through the habit of committing sin” (ibid.). In such instances, remorse, not regret, is called for, or what the Gospels call *metanoia* or repentance.<sup>28</sup> In their pastoral letter on the moral life, *To Live in Christ Jesus*, the bishops of the United States put the matter this way: “We must have a rightly informed conscience and follow it. But our judgments are human and can be mistaken; we may be blinded by the power of sin in our lives or misled by the strength of our desires. ‘Beloved, do not trust every spirit, but put the spirits to a test to see if they belong to

God' (1 Jn 4.1). Clearly, then, we must do everything in our power to see to it that our judgments of conscience are informed and in accord with the moral order of which God is creator. Common sense requires that conscientious people be open and humble, ready to learn from the experience and insight of others, willing to acknowledge prejudices and even change their judgments in light of better instruction."<sup>29</sup>

Here the bishops speak of the obligation to have an "informed" conscience. Thus, to bring to a close this discussion of conscience, it will be necessary to offer some observations on the meaning of an *informed Catholic conscience*.

The purpose or goal of particular moral conscience, or conscience in the sense of one's best judgment about what one is to do here and now, is true knowledge of what ought to be done in this particular situation. If one is to make a true judgment of this kind, one needs to be aware, first of all, of the basic principles of morality and how these relate to the situation at hand. One thus needs to know the facts of the situation. Thus forming one's conscience involves the following: first, one must grasp the implications of the basic principles of morality; second, alert to all the morally significant features of the situation, one must learn how to apply these norms so as to form reasonable judgments of conscience.

The person eager to make true moral judgments will, of course, be anxious to learn what he or she can from moral advisers who can be trusted. Thus the person who is seeking to make a truly informed judgment of conscience will be willing to listen to the truth and to seek it from sources where it is most likely to be found. The Catholic, aware that the Church is God's gift to him or her, that it is indeed the pillar of truth, will therefore be ready to accept the moral teachings of the Church, for the Catholic realizes that Christ speaks to him or her through the authoritative teaching of the Church that is the bride and body of Christ. Indeed, as the Fathers of Vatican Council II remind us, "in forming their consciences the faithful must pay careful attention to the sacred and certain teaching of the Church. For the Catholic Church is by the will of Christ the teacher of truth. It is her duty to proclaim and teach with authority the truth which is Christ and, at the same time, to declare and confirm by her authority the principles of the moral order which spring from human nature itself" (*Dignitatis Humanae*, n. 14).

The Catholic, therefore, will be connaturally inclined to embrace as true what the Church teaches in the moral order. For the Catholic the

moral teachings of the Church are not some kind of legalistic code imposed arbitrarily upon the Catholic from without. Rather, the Catholic regards, or ought to regard, the moral teachings of the Church as truths intended to remind us of our dignity as beings made in the image and likeness of God and called to shape inwardly our choices and actions in accordance with the truth. The moral teachings of the Church are meant to help Catholics walk worthily in the vocation to which they have been called as children of God and adopted brothers and sisters of the Lord, whose reign makes sovereign claims upon them, requiring them to love even as they have been and are loved by God in Christ.

Today some look upon the moral teachings of the Church as a set of legalistic and arbitrary norms, imposed on persons from without. They regard these teachings as a “party line” that the “official” Church proposes. This way of looking at the moral teachings of the Church is totally erroneous. When a person becomes, through an act of living faith, a member of the Church, Christ’s bride and body, that person commits himself or herself to a life in unity with Christ and his Church. The Catholic accepts, as part of his or her own identity, the identity of a Catholic, of one to whom life in Christ is mediated through the Church. And central to this life is the moral teaching of that Church. The Catholic, thus, will be eager to embrace as true what this Church proposes and will be anxious to shape his or her life in conformity with the moral truths that the Church proclaims.

We have seen that in forming conscience one needs to be aware, first of all, of the basic principles of morality. Indeed, one of the levels of conscience examined in this chapter is the awareness of moral truth at the level of principles or starting points for moral deliberation. In the following chapter, devoted to the subject of natural law, we will be concerned with identifying these principles.

In this chapter we have seen that a Catholic, in forming his or her conscience, can do so only by paying “careful attention to the sacred and certain teaching of the Church.” In the final chapter of this work the role of the Church as moral teacher and the issue of dissent from authoritative teachings of the Church on moral questions will be taken up in detail. Here it suffices to note that for the Catholic the authority of those who teach in Christ’s name is a more-than-human authority, and the truths these teachers propose are to be taken to heart so that one’s life in Christ may be deepened and enriched.

## **Notes for Chapter One**

1. St. Thomas Aquinas, *Summa Theologiae*, 1, 93, 4. In this article St. Thomas actually distinguishes a threefold dignity proper to human persons. The first is the dignity human beings have by virtue of being made in God's image and likeness; the second is their dignity as beings who know and love God by conforming to his grace, but in an imperfect way as sojourners in this life; the third is their dignity as beings now living in complete union with God, and this is the dignity of the blessed.

2. On the "beatifying beginnings" of human existence, see the probing analyses of Pope John Paul II in *The Original Unity of Man and Woman: Catechesis on Genesis* (Boston: St. Paul Editions, 1981).

3. The Church has always taught that human life, precisely because it is a gift from God and is destined for life everlasting in union with him, is priceless and merits the most profound respect from its beginning. A useful collection of Church documents emphasizing the inherent dignity, indeed sanctity, of human life is *Yes to Life* (Boston: St. Paul Editions, 1977), an anthology of important Christian affirmations of the preciousness of human life from the time of the *Didache* in the second century of this era to the pastoral letter of the American bishops on moral values in 1976, *To Live in Christ Jesus*. See also the *Instruction on Respect for Human Life in Its Origin and on the Dignity of Procreation* issued by the Congregation for the Doctrine of the Faith in 1987.

4. Karol Wojtyla, *Love and Responsibility*, trans. H. Willetts (New York: Farrar, Straus, and Giroux, 1981), p. 41.

5. On the significance of *being human* as a matter of crucial moral significance, see Mortimer Adler, *The Difference of Man and the Difference It Makes* (New York: Meridian Books, 1968).

6. In the Abbott edition of *The Documents of Vatican Council II* (New York: America Press, 1965), this passage from *Gaudium et Spes*, n. 16, is incorrectly translated as "the voice of conscience." The Latin text is *cuius vox*, with the antecedent of *cuius* being *lex* (law), not *conscientia* (conscience).

7. St. Augustine devoted one of his earliest works, after his baptism, to the subject of free choice, namely, *De Libero Arbitrio*. The apostolic Fathers, such as Justin Martyr, stressed free choice in the face of pagan determinism. Early in Christianity Justin developed a line of reasoning that was to be used over and over again by such

writers as Augustine, John Damascene, and Aquinas. He wrote: "We have learned from the prophets and we hold it as true that punishments and chastisements and good rewards are distributed according to the merit of each man's actions. Were this not the case, and were all things to happen according to the decree of fate, there would be nothing at all in our power. If fate decrees that this man is to be good, and that one wicked, then neither is the former to be praised nor the latter to be blamed. Furthermore, if the human race does not have the power of a freely deliberated choice in fleeing evil and in choosing good, then men are not accountable for their actions" (*The First Apology*, 43; trans. W. A. Jurgens, *The Faith of the Early Fathers* [Collegeville, MN: Liturgical Press, 1970], Vol. 1, n. 123).

8. St. Thomas Aquinas, *Summa Theologiae*, 1-2, Prologue.

9. The Council of Trent solemnly defined the truth that human persons, even after the fall, are gifted with free choice. For text, see Henricus Denzinger and Adolphus Schönmetzer, *Enchiridion Symbolorum Definitionum et Declarationum de Rebus Fidei et Morum* (35th ed.; Rome: Herder, 1975), n. 1555. Hereafter, this source will be referred to as DS.

10. Joseph Boyle, Germain Grisez, and Olaf Tollefsen, *Free Choice: A Self-Referential Argument* (Notre Dame, IN: University of Notre Dame Press, 1976).

11. Germain Grisez, *The Way of the Lord Jesus*, Vol. 1, *Christian Moral Principles* (Chicago: Franciscan Herald Press, 1983), p. 41. On this, see also St. Thomas Aquinas, *Summa Theologiae*, 1, 83, 1; 1-2, 1, 1; 1-2, 6, 1; 1-2, 18, 1.

12. Grisez, *Christian Moral Principles*, p. 50.

13. On this, see the interesting treatment of human action as language in Herbert McCabe, *What Is Ethics All About?* (Washington, DC: Corpus Books, 1969), pp. 90-94.

14. Grisez, *Christian Moral Principles*, p. 59.

15. Sigmund Freud, *An Outline of Psychoanalysis*, trans. James Strachey (London: Hogarth Press, 1949), pp. 3-4.

16. John Macquarrie, *Three Issues in Ethics* (New York: Harper and Row, 1971), p. 111.

17. In the New Testament the use of "conscience" was apparently limited to consequent conscience or the judgment of one's past actions. On this, see James Turro, "Conscience in the Bible," in *Conscience: Its Freedom and Limitations*, ed. W. C. Bier, S.J. (New York: Fordham University Press, 1971), pp. 3-8. But see Eric D'Arcy, *Con-*

*science and Its Right to Freedom* (New York: Sheed and Ward, Inc., 1961), pp. 8-12, for an interesting argument that St. Paul has a directive or antecedent sense of conscience as well.

18. In his *Themes in Fundamental Moral Theology* (Notre Dame, IN: University of Notre Dame Press, 1977), p. 211, Charles E. Curran mistakenly argues that the traditional view of conscience as one's best moral judgment cannot account for the legitimate role of affectivity in conscience. For a more adequate account, see Grisez, *Christian Moral Principles*, ch. 10, q. D; ch. 31, q. E.

19. On this, see St. Thomas Aquinas, *De Veritate*, q. 17, a. 3. See D'Arcy, *Conscience and Its Right to Freedom*, pp. 87-112, for a commentary on St. Thomas's position.

20. Macquarrie, *Three Issues in Ethics*, p. 111.

21. On this, see St. Thomas Aquinas, *Summa Theologiae*, 1, 79, 12.

22. Macquarrie, *Three Issues in Ethics*, p. 114.

23. Pope Pius XII, "Radio Message on Rightly Forming Conscience in Christian Youth," March 23, 1952, *Acta Apostolicae Sedis* 44 (1952) 271.

24. Macquarrie, *Three Issues in Ethics*, p. 114.

25. Walter Conn, *Conscience: Development and Self-Transcendence* (Birmingham, AL: Religious Education Press, 1981), p. 205.

26. *Ibid.*, p. 213.

27. See St. Thomas Aquinas, *De Veritate*, q. 17, a. 3.

28. St. Thomas Aquinas, *Summa Theologiae*, 1-2, 19, 6.

29. *To Live in Christ Jesus: A Pastoral Letter of the American Bishops on the Moral Life* (Washington, DC: USCC, 1976), p. 10.



**CHAPTER**  
**TWO**

# **The Natural Law and Moral Life**

## ***Introduction***

Vatican Council II, as we have already seen, taught that the “highest norm of human life is God’s divine law — eternal, objective, universal — whereby God orders, directs, and governs the entire universe and all the ways of the human community according to a plan conceived in wisdom and in love.” In addition, it held that “man has been made by God to participate in this law, with the result that, under the gentle disposition of divine providence, he can come to perceive ever increasingly the unchanging truth” (*Dignitatis Humanae*, n. 3). Man’s participation in God’s divine and eternal law is precisely what the Catholic theological tradition understands by “natural law,” the law that he discovers “deep within his conscience” (*Gaudium et Spes*, n. 16). Although they did not use the expression “natural law” to designate man’s participation in God’s divine and eternal law in these passages from *Dignitatis Humanae* and *Gaudium et Spes*, the Council Fathers clearly had the natural law in mind, for right after saying that “man has been made by God to participate in this law,” they explicitly referred to three texts of St. Thomas; and of these one was obviously uppermost in their mind, for in it Aquinas affirms that all human beings know the immutable truth of the eternal law at least to this extent, that they know the universal principles of the natural law.<sup>1</sup>

But what is the natural law? I propose that we begin our investigation of this topic by examining the teaching of St. Thomas on the natural law. We shall then examine the teaching of Vatican Council II and the thought of some contemporary writers who seek to build on the foundations established by St. Thomas.

## **NATURAL LAW IN ST. THOMAS AQUINAS**

St. Thomas considered the subject of natural law formally in his *Summa Theologiae*, but references to natural law and to such allied no-

tions as conscience, synderesis, providence, as well as eternal and divine law are found throughout his writings, from his early “Commentary” or *Scriptum* on Peter Lombard’s *Libri Sententiarum* onward.<sup>2</sup>

In his master work, the *Summa Theologiae*, Thomas discusses law in general, the different kinds of law (including natural law), and God’s eternal law before offering a more extensive exposition of his ideas about natural law and its relationship both to human positive law and the law of God as divinely revealed. Since natural law is “law” in a real and proper sense, it is important to begin our consideration of Thomas’s thought on natural law in the *Summa Theologiae* by briefly summarizing his teaching on the meaning of law as such. I then propose to note succinctly his understanding of God’s eternal law. I will then turn to a consideration of his more detailed presentation of natural law.

### **1. The Basic Understanding of Law in the *Summa Theologiae***

In this work Thomas begins by saying that law is an extrinsic principle of human acts, in distinction to virtues and vices, which are intrinsic principles of such acts. He initially describes law as “a rule or measure of acts whereby one is induced to act or is restrained from acting.” Since this is so, he says that law pertains to reason, insofar as “reason, which is the first principle of human acts, is the rule and measure of human acts.”<sup>3</sup> Law as such is thus something that is brought into being by reason: it is an *ordinatio rationis*, an ordering of reason. In an enlightening response to an objection that law cannot pertain to reason because St. Paul had spoken of a “law” in his “members” (Rom 7.23), Thomas notes that law can be said to be “in” something or “pertain to” something in two ways: “In one way [law is said to be ‘in’ something] as it is in that which rules and measures. And because this is proper to reason, it follows that in this way law exists exclusively in reason.” He continues by saying that law can be said to be “in” something in a more passive, participative way, in whatever is ruled and measured by a law: “And it is in this way that law is ‘in’ all those things that are inclined toward something in virtue of some law, not essentially, but as it were in a participative sense.”<sup>4</sup>

The fact that law belongs essentially and formally to reason and is, indeed, the result of an act of intelligence, is made even clearer by St. Thomas in a response that he gives to another objection. According to

this objection, law cannot belong to reason since it can be neither the power of reason itself, nor one of its habits or faculties, nor one of its acts. In replying to this objection St. Thomas says that practical reason, i.e., reason as ordered to action, brings into being “universal propositions directed to action.” These universal propositions of practical reason play a role in practical thinking comparable to the role played in speculative inquiry by the universally true propositions of speculative reason relative to the conclusions that it reaches. And, Aquinas continues, “universal propositions of this kind, namely, of the practical reason as ordered to actions, have the meaning of law” (*et huiusmodi propositiones universales rationis practicae ordinatae ad actiones habent rationem legis*).<sup>5</sup>

From all this it is luminously clear that in the mind of St. Thomas law as such not only belongs to reason but consists of true propositions or precepts brought into being by reason.

In subsequent articles of the *Summa Theologiae*, 1-2, 90, Thomas describes other qualities of law in the general sense. It must be ordered to the common good,<sup>6</sup> it must come from the whole people or from someone having charge of the whole people and acting on their behalf,<sup>7</sup> and it must be promulgated or made known.<sup>8</sup>

## **2. Eternal Law**

Thomas taught that all creation — the cosmos and all things within it — is under the governance of God’s intelligence. Thus the eternal law is the *ratio* or divine plan of the governance of all things insofar as this *ratio* or divine plan exists within the mind of God himself as the ruler of the universe.<sup>9</sup> The eternal law directs the entire created universe and the activity of all created things, including the activity of human persons. Eternal law is thus the “*ratio* of the divine wisdom insofar as it is directive of all acts and movements.”<sup>10</sup> The end to which the eternal law directs all of creation is the universal common good of the entire created universe, and it is promulgated along with creation.<sup>11</sup>

## **3. Natural Law: Its Central Meaning and Character**

Thomas teaches that *all* created realities “participate” in the eternal law. But they do so differently, in accordance with their natures. Non-rational beings participate in the eternal law in a purely passive way insofar as from it they receive an “impression” whereby “they have inclinations toward their proper acts and ends.”<sup>12</sup> The eternal law is “in”

them inasmuch as they are ruled and measured by it.<sup>13</sup> But human persons, inasmuch as they are intelligent, rational creatures, participate *actively* in the eternal law, and their active, intelligent participation is precisely what the natural law is.<sup>14</sup> The eternal law is “in” them both because they are ruled and measured by it *and* because they actively rule and measure their own acts in accordance with it. It is thus “in” them properly and formally as “law.” Contrasting the different ways in which nonrational and rational creatures participate in God’s eternal law, Aquinas says: “Even nonrational animals participate in the eternal *ratio* in their own way, just as does the rational creature. But because the rational creature participates in it by intelligence and reason (*intellectualiter et rationaliter*), therefore the participation of the eternal law in the rational creature is *properly* called law: for law is something pertaining to reason. . . . But in the nonrational creature it is not participated in rationally; hence it cannot be said to be law [in the nonrational creature] except by way of a similitude.”<sup>15</sup>

Natural law, as it exists in the rational creature, is entitatively distinct from the eternal law that exists in God, the superintelligent Creator. But it is not something “other than” the eternal law. It is this eternal law itself mediated to or shared by the rational creature.<sup>16</sup> Natural law characterizes both the nobility of the rational creature as the being created in the image of God and the great love that God has for the rational creature, whom he wills to share actively in his own provident wisdom.

Thomas clarifies the way that the eternal law is “in” the rational creature when he considers the position, held by many of his medieval predecessors, that the natural law is a power or a habit, in particular the habit of synderesis or of the first principles of practical reasoning.<sup>17</sup> He grants that natural law may, in a secondary and derived sense, be regarded as a habit insofar as the judgments of practical reason that together go to constitute it are habitually kept in mind. But in its proper sense natural law is *not* a habit, nor is it a power. Rather, it is a reality brought into being (*constitutum*) through reason; it is a work of human intelligence as ordered to action (*ratio practica*), just as a proposition of the speculative intellect is an achievement of human intelligence as ordered to knowing for the sake of knowing. Natural law, therefore, is something that we ourselves naturally bring into being by the spontaneous exercise of our own intelligence as ordered to action. It is something that we bring into being by our doing (what Thomas calls a *quod quis agit*), not something enabling us to bring

something into being by our own doing (what he calls a *quo quis agit*).<sup>18</sup>

As such and properly, then, natural law is for St. Thomas an achievement of practical reason. It consists of a body or ordered set of true propositions formed by practical reason about what-is-to-be-done.<sup>19</sup> But what are these propositions, and how do they constitute an ordered set?

Thomas begins to address this issue in the important second article of question 94 of the *Prima Secundae* of his *Summa Theologiae*. In this article he is concerned with the “starting points” or “first principles” of natural law, the first set of practical propositions or precepts that go to make it up. In this article he begins by making an important analogy between the precepts of natural law, which pertain to reason as ordered to action (*ratio practica*), and the first principles of demonstration, which pertain to reason as ordered to speculative inquiry or knowledge for the sake of knowledge (*ratio speculativa*). He says that just as *being* is the first thing that our intellect grasps with regard to its knowledge of reality, so *good* is what is first of all grasped by our intelligence as directed to action. He then declares: “Therefore, the first principle in practical reason is that which is founded upon the meaning (*ratio*) of the good, which meaning is, *the good is that which all things desire*. Therefore, this is the first precept of [natural] law, namely, that *good is to be done and pursued, and evil is to be avoided*. And upon this [precept or ‘proposition’ of practical reason] are based all other precepts of natural law, namely, that all those things belong to natural law that practical reason naturally grasps as goods to be done [or evils to be avoided].”<sup>20</sup>

Continuing, Thomas says that “good” has the meaning of an end, whereas “bad” has the opposite meaning. It thus follows that “reason naturally apprehends as goods, and consequently to be pursued in action, all those things to which man has a natural inclination, and things contrary to them [reason naturally apprehends] as evils to be avoided.”<sup>21</sup>

It is most important here to note that Thomas does not say that these “natural inclinations” constitute natural law. Rather, he is saying that the real goods of human existence to which human beings are naturally oriented are grasped “naturally,” i.e., nondiscursively, by human reason as the “good” that is to be done and pursued. Practical reason apprehends in these goods the “ends” or “points” of human choices and action. To put matters another way, the basic practical

principle that *good is to be done and pursued, and that its opposite, evil, is to be avoided* is specified by identifying real goods of human persons. According to Thomas, there exist within us “natural inclinations” dynamically directing us toward specific aspects of human well-being and flourishing, and our practical intelligence “naturally” apprehends as good, and therefore to be pursued in human choice and action, the realities to which these natural inclinations direct us. When he says that practical reason “naturally” apprehends the goods to which human beings are naturally inclined, Thomas means that there is no need for discursive, syllogistic reasoning in order for us to know them as good. Knowledge of these goods is not innate, but it is direct and nondiscursive, given human experience.

But what are our “natural inclinations” and the basic human goods or aspects of human well-being corresponding to them? In q. 94, a. 2, Thomas distinguishes three levels of basic, natural inclinations and basic human goods. On the first level there is in us a natural inclination to the good in accordance with the nature that we have in common with all substances. The good to which we are naturally inclined at this level is that of being itself, and since, as Thomas elsewhere notes, the being of living things is life itself,<sup>22</sup> the relevant human good here is life itself. At another level there is in us a natural inclination “to more special goods according to the nature” we have “in common with other animals.” The relevant good here is the union of male and female and the handing on of new life and the education of human persons. Finally, there is in us, Thomas says, an “inclination to the good according to the nature of reason, which is a nature proper to man: thus man has a natural inclination to know the truth about God, and to live in society; and in this respect whatever pertains to this inclination belongs to natural law, for example, that man avoid ignorance, that he not give offense to others with whom he must live (*conversari*), and other such things.”<sup>23</sup> In other words, the relevant human goods to which this inclination points us and which, when grasped by practical reason, function as primary precepts of natural law are such goods as knowledge about God, fellowship and friendship with other persons, and the like.

The list of basic human goods given by Thomas in this article is not intended by him to be taxative or exhaustive; it is rather an illustrative list, as is indicated by the fact that he uses such expressions as “and the like” (*et similia*) and “of this kind” (*huiusmodi*) in speaking about the goods that he names.<sup>24</sup> His point is that these goods, to which we are naturally inclined, when grasped by practical reason, serve as starting

points or principles of practical reason, of natural law, of deliberating about what-is-to-be-done.

*Summary:* From the texts studied thus far, it is clear that in the *Summa Theologiae* St. Thomas regards the natural law as follows: (1) it is the active participation by the rational creature in God's eternal law; (2) it pertains to reason insofar as it is something that practical reason constitutes or brings into being; (3) the "something" that practical reason brings into being are "precepts" or practical propositions about what-is-to-be-done, beginning with the "first" or "primary" precept of practical reason, a precept founded upon the concept of the "good." I now propose to look more closely at the teaching of Thomas in this work on the different sorts of precepts that, taken together, constitute the natural law.

#### **4. "Primary" Precepts of Natural Law, Precepts "Close to" Primary Precepts, and Other Precepts of Natural Law**

According to St. Thomas there are three "grades" or "levels" of natural law precepts. The first grade or set of natural law precepts consists of "those common and first principles,"<sup>25</sup> "of which there is no need for any other 'edition' inasmuch as they are written in natural reason and are as it were self-evidently known (*per se nota*)."<sup>26</sup> Belonging to this set of natural law precepts are the principles we have already examined, namely, the precept that *good is to be pursued and done, and its opposite, evil, is to be avoided*, and that such basic human goods as life itself, the handing on and education of life, true knowledge about God, life in fellowship and amity with others are all goods to be done and pursued. These are the principles that Thomas took up in q. 94, a. 2, of the *Prima Secundae*.

But Thomas also includes, among the primary and common precepts of natural law, such precepts as "evil is to be done to no one,"<sup>27</sup> "do unto others as you would have them do unto you; do not do unto others as you would not have them do unto you,"<sup>28</sup> and "you are to love the Lord your God and you are to love your neighbor."<sup>29</sup> And one loves one's neighbor by willing that the goods of human existence, of which we have already spoken, flourish in him.

From what has been said thus far, it is clear that Thomas includes, among the *first, nondemonstrable principles or precepts of natural law*, two types of principles. The first type directs us to do and pursue the good and avoid its contrary and articulate the general determinations of human good by specifying the goods that are to be done and

pursued (human life itself, the handing on and education of human life, knowledge of the truth about God, life in friendship with others, etc.). The other sort of *first principles of natural law* concerns our way of pursuing these goods: we are to do so by acting fairly (the Golden Rule), by refusing to do evil to anyone, and by loving God and neighbor. In fact, St. Thomas argues that the precept to love God and neighbor is precisely the precept or principle from which those precepts that make up the second grade or set of natural law precepts are derived or in whose light these precepts are known to be true.<sup>30</sup>

This second grade or set of natural law precepts includes those "that the natural reason of every man immediately and of itself (*per se*) judges to be done or not done."<sup>31</sup> Such precepts are proximate conclusions from the first nondemonstrable precepts of natural law,<sup>32</sup> and they can be understood to be true "immediately, with a modicum of consideration."<sup>33</sup> They are "more determinate" than the primary precepts of natural law, but they can be easily grasped by the intelligence of the most ordinary individual.<sup>34</sup> These precepts, which are proximate conclusions from the primary principles of natural law, "are absolutely of the natural law."<sup>35</sup> These precepts, it is true, can become perverted in a few instances because of sin and bad habits, and it is for this reason that they have need of a further "edition," namely, through the divine (positive) law,<sup>36</sup> for these precepts are those that we find in the Decalogue.

The third grade or set of natural law precepts, according to Thomas, are truths about human action that are known only "by the more subtle consideration of reason."<sup>37</sup> They are like conclusions derived from the second set of natural law precepts,<sup>38</sup> and they are known only by the "wise," i.e., for Aquinas, by those in whom the virtue of prudence is perfected. To know these precepts of natural law "much consideration of different circumstances" is required, and to consider these diligently is something that pertains to the wise. Those not perfected in virtue need to be instructed in these precepts by those who are wise.<sup>39</sup>

Thus, according to Thomas, there is a definite structure to the natural law. It consists of (1) certain fundamental, nondemonstrable, primary principles; (2) normative precepts that flow immediately, and with very little consideration, from these primary precepts; and (3) normative precepts that can be known only after considerable thought and only by the wise, or those perfected in the virtue of prudence.

This structure of natural law is brought out in several passages of the *Summa Theologiae*.<sup>40</sup> One of the most striking is 1-2, q. 100, a. 3,



where Thomas asks whether all the moral precepts of the Old Law can be reduced to the ten precepts of the Decalogue. According to Thomas, all the precepts of the Decalogue, while revealed by God, are capable of being known by the exercise of natural human reason — with the exception of the third commandment, regarding the Sabbath, whose determination of a specific day is not knowable by natural reason.<sup>41</sup> The precepts of the Decalogue, in other words, belong to natural law. But they are not among the primary precepts of natural law. The following kind of schema shows the structure of natural law as described by Thomas in this question:

Primary Precepts

Proximate Conclusions

Remote Conclusions

Among the precepts of the Decalogue two kinds of precepts are not counted.

Those, namely, which are first and common, of which there is no need of further “edition,” inasmuch as they are written in natural reason, as it were self-evidently known

and also those that are discovered to be fitting to reason through diligent inquiry of the wise: for these come from God to the people by means of the discipline of the wise.<sup>42</sup>

Here Thomas explicitly says that there are two kinds of precepts which are distinct from the precepts of the Decalogue. The primary precepts of natural law, since they are self-evidently true, are written in human reason and do not require divine revelation. Also not among the precepts of the Decalogue are those more specific precepts that need considerable thought for their truth to be grasped. Yet both these

kinds of natural law precepts are intimately related to the precepts of the Decalogue. Indeed, Thomas's argument here is that the Decalogue in some way does "contain" both these kinds of precepts of natural law. Thomas puts it this way:

Primary Precepts

Proximate Conclusions

Remote Conclusions

But both of these kinds of precepts are contained  
in the precepts of  
the Decalogue, but  
differently.

For those which are  
first and common are  
contained in [the  
precepts of the  
Decalogue] as  
principles

are contained in their  
proximate conclusions,

while those that  
are known by the  
wise

are contained in them

conversely,

as conclusions

in their principles.<sup>43</sup>

I believe that by now Thomas's understanding of natural law should be quite clear. For him natural law is a "work" of human reason, consisting in an ordered series or set of "precepts." The first set of natural law precepts embraces the self-evidently true propositions about what-is-to-be-done that are grasped by practical reason. These primary precepts or first principles of natural law include two different types of precepts. One sort directs us to do and pursue the good and avoid its contrary and identifies basic forms of human flourishing as goods to be pursued (life, its handing on and education, knowledge of the truth about God, and the like). The other sort concerns our way of pursuing these goods: we are to do so by acting fairly (the Golden Rule), by loving God and neighbor, by refusing to do evil to anyone. These primary precepts or principles of natural law can never be obliterated from the (developed) human mind. All moral agents are aware of them, for they are written in the human heart.<sup>44</sup>

The second set or grade of natural law precepts includes those that

are “proximate” to the primary principles. They are so close to them, in Thomas’s view, that they can easily be known by everyone, even the most simple person, unless one’s practical reason is perverted by sin or one lives in a perverse society.<sup>45</sup> These *derivative*, but easily known (according to Aquinas), precepts of natural law are the moral precepts of the Decalogue. According to Aquinas, these natural law precepts are moral absolutes, exceptionless norms, from which not even God can grant a dispensation.<sup>46</sup>

Finally, the third set or grade of natural law precepts includes more remote moral norms, derived from the precepts of the Decalogue as from their principles, and known only after much consideration by the “wise,” i.e., persons perfected in the virtue of prudence or, in Christian terms, saints.

This is clearly the structure of natural law according to St. Thomas.

• *Excursus 1: St. Thomas and Ulpian’s Definition of Natural Law*

Ulpian, a second-century Roman lawyer, defined natural law as “that which nature has taught all animals.” Several contemporary Catholic moral theologians, among them Charles E. Curran, Timothy E. O’Connell, and Richard M. Gula, claim that the teaching of St. Thomas on natural law is highly ambiguous. On the one hand, it stresses the role that reason has to play in constituting natural law. On the other hand, they say, his thought, because of the influence of Ulpian, definitely tends “to identify the demands of natural law with physical and biological processes”<sup>47</sup> and leads to what they consider a “physicalistic” understanding of natural law.<sup>48</sup> Because of this claim by some contemporary Catholic theologians, it will be worthwhile to examine the way in which Aquinas accommodated Ulpian’s definition of natural law into his own thought.

In one of his earliest writings, his *Scriptum super IV Libros Sententiarum*, Thomas takes up the question of natural law in connection with his discussion of a problem that had plagued his predecessors in their attempts to relate natural law to the teaching of Scripture. How could the polygyny of the Old Testament patriarchs be reconciled with natural law?<sup>49</sup> My concern is not with this specific problem but rather with Thomas’s thought on natural law and his use of Ulpian’s definition of natural law.

In his analysis of this issue Thomas first notes that all beings have within themselves, by their very nature, principles whereby they can not only bring about the actions proper to themselves but also direct

them to their proper ends. Beings that lack knowledge act in a necessary way, but in beings that have knowledge, the principles of operation are knowledge and appetite. In beings capable of knowledge, consequently, there must be a natural concept (*naturalis conceptio*) in the cognitive faculty and a natural inclination (*naturalis inclinatio*) in the appetitive faculty, whereby these beings are ordered to the actions and ends appropriate to them. Since man differs radically in kind from other animals, however, in his ability to know the end as such and the relationship of means to end, the "natural concept" in his case "is called natural law, whereas in other animals it is called a natural estimation (*aestimatio*)." Nonrational animals "are impelled by a force of nature to perform actions proper to them rather than acting by being regulated, as it were, by any kind of judgment properly so called." Aquinas then continues: "therefore natural law is nothing other than the concept naturally impressed upon man whereby he is directed to acting suitably in the actions that are proper to him, whether these actions pertain to his generic nature, such as generating life, eating, and so forth, or whether they pertain to his specific nature as man, such as thinking and things of this kind."<sup>50</sup>

What is most important about the notion of natural law expressed in this passage from an early writing of St. Thomas is that natural law is explicitly related to human intelligence, to the fact that the human person, alone of all animals, is capable of knowing the end as such and of relating means to ends. The thought expressed here and elsewhere in St. Thomas's *Commentary on the Sentences* is surely in accord with the thought set forth in the passages from the *Summa Theologiae* that we have already considered: natural law, as law, is exclusively proper to human persons, and, precisely as law, natural law is related to human cognition.

As already noted, the discussion of natural law in this passage from the *Commentary on the Sentences* was prompted by the polygyny of the patriarchs. The question posed was "whether having many wives is contrary to natural law." In the body of the article, from which the citations given above are taken, Thomas asserts that polygyny is indeed against the natural law in the sense that it impedes at least partially the marital good of fidelity and the peace and harmony that ought to reign in the family. He also notes that it completely destroys the good of the "sacrament" of marriage. He concedes, however, that it is not destructive of the principal end of the institution of marriage, namely, the procreation and education of children, and in this sense is not

against natural law.<sup>51</sup> One of the objections to the view (which Thomas held) that polygyny is against natural law had urged that a plurality of wives is in no way against natural law inasmuch as the natural law is that which nature has taught all animals, i.e., Ulpian's definition of natural law, and obviously in the animal kingdom it is by no means unnatural for one male to have more than one mate. In replying to this objection, Thomas distinguishes several ways in which natural law could be understood, and in commenting on these ways of understanding natural law, Thomas takes up the celebrated definition of Ulpian.

Thomas says that natural law can be understood, first, to refer to something that is natural *by reason of its principle* or source. It is in this way that Cicero understood natural law, for to him it was a kind of innate source or power, a principle intrinsic to things (*ius naturae est quod non opinio genuit, sed quaedam innata vis inseruit*). He goes on to note that the principle from which natural law springs can be extrinsic to the being regulated by natural law, and in this sense he makes room for the definition given by Gratian (incorrectly attributed, in Thomas's text, to Isidore) that natural law is what is contained in law and Gospel (*ius naturale est quod in lege et in Evangelio continetur*). Finally, he notes that natural law may be understood to refer to what is natural, not by reason of its source or principle but rather by reason of "nature," i.e., *by reason of the subject matter with which natural law is concerned (tertio dicitur ius naturale non solum a principio, sed a natura, quia de naturalibus est)*. If natural law is taken in this sense, nature is contrasted with or is opposed to reason. Consequently, "taking natural law in its most restricted or limited sense" (*strictissimo modo accipiendi ius naturale*),<sup>52</sup> "those things that pertain only to men, although they follow from the dictate of reason, are not said to be of the natural law; but only those things that natural reason dictates about matters that are common to man and to other animals; and thus the aforesaid definition is given, namely, that 'natural law is what nature has taught all animals.'"<sup>53</sup>

It is most important to be clear about Aquinas's thought here. He is definitely *not* claiming that natural law, as *law*, is something infrarational, an instinct that human persons share with other animals. After all, in the body of the article he had stressed that natural law as such is unique to human beings and that it is a *naturalis conceptio*. In nonrational animals, he taught in the body of the article, there is no natural law; there is only a natural "estimation," a power or force of nature impelling them to act in ways appropriate to achieve the ends for

which they are made. Thus in this celebrated passage Thomas in no way repudiates what he has just said in the body of the article (or what he was to say subsequently in the texts from the *Summa Theologiae* that we have already examined) about natural law as something brought into being or constituted by reason. He is making room for Ulpian's understanding of natural law in only a limited way, namely, *in the sense that it refers to the subject matter with which or about which natural law is concerned*, for this is what he explicitly says. In other words, he is saying that the tendencies that human beings share with other animals are fitting objects of natural law taken in its proper sense as an achievement of reason — they are fit matter to be brought under the rule of law, i.e., under natural law understood as an achievement of human reason. This is evident from the text, for Thomas explicitly says that the natural law, understood in Ulpian's sense, has to do only with those things that “*natural reason dictates* about matters that are common to man and to other animals” (*illa tantum quae naturalis ratio dictat de his quae sunt homini aliisque communia*).

Thomas also makes room for Ulpian's definition in his later works, in passages in the *Summa Theologiae*<sup>54</sup> and in his commentary on Aristotle's *Nicomachean Ethics*.<sup>55</sup> But in all these places the room given by Thomas to Ulpian's definition of natural law as the law that nature has taught all animals is limited to fit in with his own teaching on natural law as the work of reason. Natural law as defined by Ulpian never has the meaning of an *ordinatio* or *dictamen rationis*, the achievement of practical reason, that Thomas always considers to be the essential element of law and of natural law in the formal, proper sense.<sup>56</sup> Ulpian's definition can never be used in reference to natural law as that which is in something as ruling and measuring. It uniformly refers to natural law only in an accommodated sense, as found in something only “participatively, as it were.”<sup>57</sup> In short, Ulpian's definition of natural law, as St. Thomas appropriates it, refers to the tendencies or inclinations that human beings possess by virtue of being, in truth, animals, albeit animals of a special and unique kind — tendencies that can be grasped by practical reason along with the real goods toward which they incline the human person, and thereby formally brought under the dominion of reason and capable of being expressed in principles or propositions that serve as starting points for thinking about what is to be done in and through human action — that serve, in other words, as the principles that go to make up the content of natural law as law.<sup>58</sup>

There was good reason, I believe, why Thomas took pains to make room for Ulpian's definition of natural law within his thought. Aquinas was no dualist. For him a human being is not an incarnate spirit, a "separated substance" in some way accidentally united to a material body. For him a human being is first and foremost an animal, a very special kind of animal to be sure, different in kind from all other animals by reason of his intelligence and power to determine his life by his own free choices, but an animal nonetheless. Thus the tendencies that humans possess in virtue of their animality are basic *human* tendencies, fundamental *inclinationes naturales*, and the goods correlative to these tendencies, goods such as the procreation and education of children, are basic *human* goods meriting the respect of human intelligence.

This analysis of the way in which Thomas incorporated Ulpian's definition of natural law into his own thought on the subject shows that he never accepted Ulpian's understanding of natural law as a non-rational kind of instinct. Rather, he consistently held that natural law, formally and properly as *law*, is the work of practical reason. He accepted Ulpian's definition only as a very restricted or limited way of understanding natural law, as referring to those tendencies that human beings share with other animals and which, in the human animal, must be brought under the rule of reason, under the tutelage of natural law.

• *Excursus 2: Thomas's Teaching on Natural Law in the Summa Contra Gentes*

In addition to his formal treatment of natural law in his most mature work, the *Summa Theologiae*, St. Thomas also had much to say about the reality of natural law in another major work, the *Summa Contra Gentes*. In this important work, written as a handbook for preachers attempting to win intelligent Muslims over to the Catholic faith, St. Thomas devotes much of Book 3 to a study of divine providence. In chapters 111-129 of this book he is concerned primarily with the way in which God, through his providence, governs the intellectual and rational creature, man. The expression "natural law" is used sparingly in these chapters, but the reality to which this expression refers is central to the ideas developed in them. My observations will center on the following matters: (1) the understanding of natural law central to Thomas's thought in this work; (2) the "divine" law and the way in which the rational creature is subject to it; (3) the end or purpose of the divine law; and (4) the requirements of this law and of "nature."

1. The Central Meaning of Law in *Summa Contra Gentes*, Book 3, chapters 111 and following.

These chapters make it evident that for Thomas the primary and formal meaning of “law” is a certain *ratio* or intelligent “plan” of operation or action. It is the rule or measure of an action, as Thomas says time and time again.<sup>59</sup> The meaning of law for Thomas in this work is very clear: it is an intelligent plan existing in the mind of the lawgiver directing the actions of agents toward their end. As can be seen, this notion of “law” is the same as that set forth in the texts from the *Summa Theologiae*.

2. The “Divine” Law and the Subjection of Rational or Intelligent Creatures to It.

Chapters 111 and following of Book 3 make it clear that for St. Thomas the highest law and indeed the source of all true law is the “divine law,” i.e., a “*ratio* of divine providence in its governing capacity.”<sup>60</sup> God’s providence and the divine law extend to everything that God has made, for he directs all things to their proper ends. But in a special way God’s intelligent creature, man, is subject to divine providence and to divine law. This is the theme of chapters 113-114, and their core idea is luminously set forth in the following passage: “The intelligent creature is subject to divine providence in such a way that he is not only governed thereby, but is also able to *know the rational plan of providence* in some way. . . . Through his possession of the capacity to exercise providence [over his own actions and those of lower creatures], man may also direct and govern his own acts. So the rational creature participates in divine providence, not only by being governed passively, but also by governing actively, for he governs himself in his personal acts, and even others.”<sup>61</sup>

St. Thomas’s thought here can be easily summarized. The highest law is the divine law, an intelligent plan in God’s mind ordering all things toward their proper ends. Nonintelligent creatures are subject to divine providence and to the divine law in a purely passive way, inasmuch as they are ruled by it. But rational creatures are subject to divine providence and divine law in a special way. They are endowed with the capacity to know the end to which they are ordered and the suitability of their freely chosen acts for attaining this end.<sup>62</sup> They are thus subject to divine providence and divine law not only insofar as they are ruled by divine law, but, more importantly, because they can inwardly participate in the divine law by knowing it and its require-



ments and freely ordering their lives and actions in accord with it. Indeed, this divine law is “given” to them,<sup>63</sup> and they are to use their freedom of choice rightly by choosing in accord with this divine law as this is inwardly known by them. Although the term “natural law” is not used in these chapters (113-114) that I have been summarizing, the reality of natural law is precisely what Aquinas has in mind. One could say that the active participation by men in the divine law, whereby they order their own actions, is the natural law, the “divine law” as “given” or communicated to men. Note that in this work Aquinas uses the expression “divine law” to refer to what he calls “eternal law” in the *Summa Theologiae*.

### 3. The End or Purpose of the Divine Law.

The final end or purpose for the sake of which God has given mankind a share in his divine law is that they may cling to him in love.<sup>64</sup> Indeed, as Thomas puts it most eloquently, the “chief intent of the divine law” is that “man be subject to God and that he should offer special reverence to him, not merely in his heart, but also orally and by bodily works.”<sup>65</sup>

But in addition to directing man to God by “works,” i.e., “actions” that are fitting, the divine law (in which man participates in some degree by his own knowledge of what he is to do) also directs him to love of his neighbor.<sup>66</sup> It does so by directing or ordering man to “live in relationship to other men according to the order of reason.” This in turn requires that man live in harmony and peace with his fellows, that he render to them what is their due, honoring his parents, refraining from injuring his neighbor either by killing him or harming him in other ways (such as by committing adultery, stealing, or bearing false witness).<sup>67</sup>

### 4. The Requirements of This Law and of “Nature.”

The final paragraphs of the preceding section have already, to some extent, covered this theme. The divine law, in which human beings participate through their intelligence, directs them to “act in accordance with reason.”<sup>68</sup> It requires them to render to God, first of all, the adoration that is due to him and to him alone.<sup>69</sup> It requires man to respect his neighbors, to live at peace and harmony with them, rendering to them what is their due — and this requires honoring one’s parents, respecting the life, marriage, good name, and property of one’s neighbor.<sup>70</sup>

It also requires man to use created things lower in the hierarchy of creation in a way befitting his own needs,<sup>71</sup> and likewise demands that man subordinate his lower powers (his feelings, passions, etc.) to the requirements of reason or of intelligence, managing them so that the “activity of reason and the human good are least hindered, and instead are helped.”<sup>72</sup>

It is also evident, from his discussion of fornication and marriage in chapter 122, that the divine law in which man participates and his own “nature” require him to respect the goods or purposes to which certain specific kinds of human actions are ordered, e.g., the deliberate choice to exercise one’s power of genital sexuality.<sup>73</sup> All these are, in Aquinas’s judgment, demands or requirements of the “divine” law and of the “nature” that has been given to man.

*Summary:* This brief account of St. Thomas’s teaching in Book 3 of the *Summa Contra Gentes* allows us to have a clear idea of the way he conceived natural law in this work. It is something pertaining to human intelligence. Indeed, it is the way human beings *actively* participate in the divine law, ordering their own actions in accordance with this law insofar as this law is inwardly known by them. This law directs man to live in accordance with reason, i.e., to respect the “end” or “ends” for which he has been made and to which he is naturally inclined. These “ends” include, first of all, God, whom men must adore and to whom he must cling in love. But, in a somewhat different way, these “ends” include life in fellowship and amity with others, proper respect for one’s personal integrity and dignity, and proper respect for the goods or purposes to which specific sorts of human activity, e.g., genital sex, are ordered. The account in the *Summa Contra Gentes*, while differently expressed than the account found in the *Summa Theologiae*, is fundamentally the same.

From all that has been said thus far, the understanding of natural law in Thomas Aquinas should now be quite clear. I shall now consider the teaching of Vatican Council II on natural law.

## NATURAL LAW AND VATICAN COUNCIL II

We have already seen, in Chapter One, some aspects of the teaching of Vatican Council II that are relevant to the subject of natural law. The Council affirmed, first of all, that “the highest norm of human life is God’s divine law — eternal, objective, and universal — whereby God orders, directs, and governs the entire universe and all the ways of

the human community according to a plan conceived in his wisdom and love” (*Dignitatis Humanae*, n. 3). It likewise affirmed, and in doing so explicitly referred to the thought of St. Thomas,<sup>74</sup> that “God has enabled man to participate in this law of his, so that, under the gentle disposition of divine providence, man may be able to arrive at a deeper and deeper knowledge of unchanging truth” (*ibid.*). In other words, it affirmed the reality of natural law which is precisely humankind’s participation in God’s divine and eternal law. It likewise affirmed that man discovers this law of God “deep within his conscience,” and that this law summons man to “love and to do what is good and to avoid evil” (*Gaudium et Spes*, n. 16). My intention now is to examine the teaching of Vatican Council II relevant to natural law more fully.<sup>75</sup>

According to the Council Fathers, “all men, because they are persons, that is, beings endowed with reason and free will and therefore bearing personal responsibility, are both impelled by their nature and bound by a moral obligation to seek the truth” (*Dignitatis Humanae*, n. 2). The truth at stake here is, moreover, not an abstract or speculative truth. Indeed, men “are bound to adhere to the truth once they come to know it and to direct their whole lives in accordance with the demands of truth” (*ibid.*). Their duty is to “prudently form right and true judgments of conscience” (*ibid.*, n. 3). The truth in question, in other words, is *moral truth*, truth known by practical reason — and in knowing it men participate in God’s divine and eternal law.

Clearly the demands of God’s divine and eternal law are one and the same as the requirements of natural law. This is made clear by the Council Fathers in several key passages. For instance, in *Dignitatis Humanae*, after reminding the Catholic faithful that they are obliged, in forming their consciences, to pay careful heed to the “sacred and certain teachings of the Church,” the Council Fathers go on to say: “The Catholic Church is by the will of Christ the teacher of truth. It is her duty to proclaim and teach with authority the truth which is Christ and, at the same time, to declare and confirm by her authority *the principles of the moral order which spring from human nature itself*” (n. 14).

Note that this passage refers to *principles* of the moral order or of natural law. This obviously means that in the minds of its authors the moral order (which, ultimately, is identified with God’s divine and eternal law and which, penultimately, is identified with natural law or humankind’s intelligent participation in God’s eternal law) embraces

not simply one fundamental principle but a number of universally binding principles. This is a subject to which I shall return.

In another passage God's divine law is explicitly linked to the natural law, for in it the Council Fathers say, "The Church, in preaching the Gospel to all men and dispensing the treasures of grace in accordance with its divine mission, makes a contribution to the strengthening of peace over all the world and helps to consolidate the foundations of brotherly communion among men and peoples. *This it does by imparting the knowledge of the divine and natural law*" (*Gaudium et Spes*, n. 89).

It is worth observing, in connection with these passages, that Vatican Council II recognized the difficulty people have in coming to know the truth. Their struggle to arrive at a deeper and deeper knowledge of the demands of God's divine and eternal law can be impeded because of their own biases and passions and because of the prejudices and misconceptions common to the cultures in which they live. The heart of the problem is human sinfulness, which afflicts the whole human race and each individual personally. As a result, human beings need help in coming to know the moral truths to which they must cleave and in whose light they are to shape inwardly their choices and actions. This help, the Council teaches (cf., e.g., *Gaudium et Spes*, n. 17) is given humankind by God, who has deigned to reveal to us the basic truths of the moral order and who has given his Church the competence and authority to impart knowledge of the "divine and natural law."<sup>76</sup>

What sort of "principles" pertain to natural law according to the teaching of Vatican Council II? In the magnificent passage in *Gaudium et Spes* on the dignity of personal conscience that we have already examined, the Council Fathers insisted that the voice of God's law, which man discovers deep within his conscience, always summons him "to love and to do what is good and to avoid evil" (n. 16). Thus, the principle that good is to be done and pursued and evil avoided is explicitly affirmed by the Council Fathers.

In addition, the documents of the Council clearly specify what they mean by the "good," for in other passages we learn that the good fruits of our nature as human persons include the goods of "truth and life, holiness and grace, justice, love, and peace" and that these goods perfective of human persons will be found again, "transfigured," in the heavenly kingdom (*Gaudium et Spes*, n. 39). The Council Fathers, like Aquinas, obviously think that there are real goods of human persons,

aspects of their full being or well-being, and that among these are the goods of life itself, knowledge of the truth, harmonious relationships with others (justice, peace) and with God (holiness). It would thus seem to follow that each of such goods, when intelligently grasped, serves as a *principle* of human choice and action. These are the goods that are to be done and pursued, and their opposites are the evils that are to be avoided.

In another significant passage of *Gaudium et Spes* the Council Fathers first point out the significance of human action as self-determining. They then go on to propose a *norm* or criterion for human action. Obviously, this proposed norm is subordinate to the ultimate norm of human life already identified in *Dignitatis Humanae*, namely, God's divine, eternal law. Yet this norm is proposed by the Council as a true norm for guiding human choices and actions. This norm, the Council Fathers assert, "is that in accord with the divine plan and will, *human activity should harmonize with the genuine good of the human race*, and allow men as individuals and as members of society to pursue their total vocation and fulfill it" (n. 35).

This, I believe, is an exceptionally important passage. In it the Council Fathers are asserting that human persons, in making good moral choices, are to choose in such a way that they reverence and respect, in each and every choice and action, whatever is really a good of human persons. It is in this way that human beings fulfill the command to love, for by doing so they manifest (a) their love of God, who is the author of the goods of human existence, and (b) their love of neighbor, in whom these God-given gifts are meant to flourish.

The texts already examined make it clear that Vatican Council II affirmed that human beings are to do and pursue what is good and avoid what is evil and that they are to choose in such a way that they respect every true good of human persons. But in addition the Council insisted that there are some very specific moral norms which are *universally binding*, transcending historical and cultural conditions. Thus, in a crucial section of *Gaudium et Spes*, where the Council Fathers judge it necessary "first of all" to recall to mind for all human beings "the permanent binding force of universal natural law and its all-embracing principles," they go on to declare that "actions which deliberately conflict with these same principles, as well as orders commanding such actions, are criminal" (n. 79). In other words, according to this text there are certain sorts or kinds of actions that are opposed to universally binding or absolute principles of natural law. The Coun-

cil Fathers, in this context, immediately go on to say that “every act of war directed to the indiscriminate destruction of whole cities or vast areas with their inhabitants is a crime against God and man, and merits firm and unequivocal condemnation” (ibid., n. 80).

The same kind of thought is central to another section of the same document, in which the subject matter is respect for human persons and the goods meant to flourish in them. In this section the Council Fathers brand as absolutely criminal and immoral very specific sorts of human acts, for they say: “All offenses against life itself, such as murder, genocide, abortion, euthanasia and willful self-destruction; all violations of the integrity of the human person, such as mutilation, physical and mental torture, undue psychological pressures; all offenses against human dignity, such as subhuman living conditions, arbitrary imprisonment, deportation, slavery, prostitution, the selling of women and children, degrading working conditions where men are treated as mere tools for profit rather than free and responsible persons; all these and their like are criminal; they poison civilization; and they debase their perpetrators more than their victims and militate against the honor of the Creator” (*Gaudium et Spes*, n. 27).

From this it is abundantly clear that the Fathers of Vatican Council II are firmly convinced that God’s divine and eternal law, in which human persons intelligently participate through the natural law, includes some very specific moral norms which are absolutely and universally binding. The natural law, in other words, contains both common or first principles (e.g., good is to be done and pursued and evil avoided; human actions are to harmonize with the authentic good of human persons) and specific moral precepts (e.g., it is absolutely immoral to abort, to commit euthanasia, to kill oneself, to destroy entire cities with their populations). I believe that the teaching of Vatican Council II relevant to natural law can be summarized in the following set of propositions:

1. The highest norm of human life is God’s divine law, eternal, objective, and universal (*Dignitatis Humanae*, n. 3).

2. Human persons have been so made by God that they are able, by exercising their intelligence, to come to know ever more securely the unchanging truths meant to guide human choices and actions contained in God’s law (*Dignitatis Humanae*, n. 3; *Gaudium et Spes*, n. 16).

3. The human search for unchanging truth is not easy, and it is for this reason that God has, through divine revelation, made his law and its unchanging truths known to mankind and has given his Church the

competence and authority to teach mankind the requirements of his divine and natural law (*Gaudium et Spes*, nn. 17, 51; *Dignitatis Humanae*, n. 14).

4. Nonetheless, the unchanging truths of the moral order can be known by human intelligence insofar as these truths are rooted in the being of human persons and in the constitutive elements of human nature (*Dignitatis Humanae*, nn. 3, 14; *Gaudium et Spes*, nn. 16, 17, 51).

5. The divine, eternal law, which is the natural law insofar as it comes to be in the minds of human beings, contains (a) first or common principles and (b) more particular and specific norms transcending historical and cultural situations precisely because they are rooted in constitutive elements of human nature and human persons and conform to the exigencies of human nature and human persons. Among the (a) first or common principles are such principles as *good is to be done and pursued and evil is to be avoided* (cf. *Gaudium et Spes*, n. 16) and *human activity should harmonize with the genuine good of the human race* (cf. *ibid.*, n. 35). Among the (b) more particular and specific norms are those moral absolutes proscribing the killing of the innocent, suicide, torture, and similar kinds of actions (cf. *Gaudium et Spes*, nn. 27, 51, 79-80).

## **NATURAL LAW IN THE THOUGHT OF GERMAIN GRISEZ, JOHN FINNIS, AND JOSEPH BOYLE**

Among contemporary Catholic authors three in particular have sought to develop the understanding of natural law on the foundations erected by St. Thomas Aquinas, namely, Germain Grisez, John Finnis, and Joseph Boyle.<sup>77</sup> Here I intend, first, to summarize their understanding of natural law, relating it to that of St. Thomas and showing how it clarifies and develops his thought. I will then offer an assessment of their contribution to the development of natural law theory.

### **1. The First Principle of Practical Reasoning and Its General Specifications**

These authors, in company with St. Thomas, distinguish between speculative and practical reasoning, not in the sense that we have two different intellectual powers, one speculative and the other practical, but in the sense that there are two distinct forms or types of thinking, each with its own nondemonstrable, underived *first* principles or “starting points.” In speculative inquiry our concern is with *what is*,

whereas in practical deliberation our concern is with *what-is-to-be-done*.<sup>78</sup> Our authors, therefore, again in company with Aquinas, hold that the very first principle or starting point of practical reasoning is that *good is to be done and pursued, and evil is to be avoided*.<sup>79</sup> This is a directive for intelligent, purposeful human activity: this principle is immediately known to be true once one understands the meaning of “good” and “evil.” “Good” here means not only what is morally good but also whatever can be understood to be truly perfective of human persons, while “evil” or “bad” has the meaning of whatever deprives human persons of their perfection or fullness of being.<sup>80</sup>

This first principle of practical reasoning directs human persons to the fulfillment to be realized in and through human acts. Grisez, Finnis, and Boyle, again following the lead of St. Thomas, hold that this first principle is specified or given its general determinations by identifying those real goods which in truth fulfill human persons. In other words, the general determinations of this first principle of practical reasoning take the form, “such and such a basic human good is to be done and/or pursued, protected, and promoted.”<sup>81</sup> In presenting the thought of St. Thomas on natural law I noted that he had distinguished various sorts of basic human goods, corresponding to “natural inclinations” of the human person, goods such as life itself, the handing on of human life and its education, knowledge of the truth about God, living in friendship and fellowship with others. I also noted that Thomas did not consider his list of basic human goods to be exhaustive or taxative but rather illustrative. He consequently used such expressions as “and the like” and “things of this kind” to describe them.<sup>82</sup>

In their efforts to develop St. Thomas’s thought, Grisez, Finnis, and Boyle seek to identify *all* the basic goods of human persons. They hold that these goods can be distinguished by noticing the assumptions implicit in the practical reasoning of ordinary people, by considering the “ends” or “purposes” for whose sake people ultimately engage in various activities. The basic human goods, while diverse, are alike in that each is a good *of* persons, not a good *for* persons. The basic goods perfect different aspects or dimensions of human persons in their individual and communal flourishing. In their different works our authors have, to some degree, varied slightly their list of fundamental human goods.<sup>83</sup> They now agree that there are seven categories of such basic goods. Four of these have *harmony* as their common theme, and the relevant goods are the following: (1) self-integration or “inner peace,” which consists in harmony among one’s judgments, feelings,



and choices; (2) “peace of conscience and consistency between one’s self and its expression,” a good in which one participates by establishing harmony among one’s judgments, choices, and performances; (3) “peace with others, neighborliness, friendship,” or harmony between and among individuals and groups of persons; and (4) “peace with God . . . or some more-than-human source of meaning and value,” a good that can be called the good of religion.<sup>84</sup>

Grisez, Finnis, and Boyle call these basic human goods “reflexive” or “existential” because they fulfill persons precisely insofar as they are able to make choices and are thus capable of moral good and evil. Choice is included in the very meaning of these goods, because the choice by which one acts for them is included in their realization or “instantiation.” For example, one cannot participate in the good of friendship without making a choice whose object includes harmony between that choice itself and the will of another person, whose friend one wills to be.

It would be a mistake, however, to regard these goods, which have harmony as their common theme, as having *moral* value as such. That is, we ought not, in conceiving these goods, to import moral value into them.<sup>85</sup> It is a mistake to do so because one can choose to establish these diverse goods whose common theme is harmony in immoral ways. For example, one can seek to establish the good of harmony between judgments and choices by rationalizing immoral choices; one can seek to participate in the good of friendship and peace with others by compromising moral principles or by cooperating with others in immoral enterprises. Thus, not all choices to participate in these reflexive goods are *morally* good choices, although, as we shall see later, true and lasting fulfillment in them must be.<sup>86</sup>

In addition to these existential or reflexive goods of human persons, Grisez, Finnis, and Boyle identify three basic goods that they call “substantive.” These are goods of human persons in whose definitions choice is not included insofar as they fulfill aspects or dimensions of human persons other than the existential or reflexive. There are three categories of such basic substantive human goods: (1) human life itself, including health and bodily integrity and the handing on and educating of human life, a good that fulfills human persons as bodily beings; (2) knowledge of the truth and appreciation of beauty, goods that fulfill human persons as intelligent beings; and (3) playful activities and skillful performances, goods that fulfill human persons as simultaneously bodily and intelligent beings and as makers and sharers in culture.<sup>87</sup>

This account of both “reflexive” and “substantive” human goods should make it evident that our authors, in identifying the basic human goods that are to be “done, pursued, protected, and promoted” and whose opposites are to be avoided, are essentially taking the lead of St. Thomas. Their endeavor is to specify more clearly the kinds of goods to which he referred when he distinguished between goods pertaining to human beings as substantive entities, as bodily beings, and as intelligent and choosing persons.

Like Aquinas, they speak at times of basic or natural inclinations dynamically orienting us to these goods, and they appeal to the work of cultural anthropologists and others to support their views.<sup>88</sup> They likewise note, in company with St. Thomas, that very often people engage in activities that enable them to participate in these goods for no other purpose than to participate in them. These goods, in other words, are regarded as “ends” or “points” of human activity. One can study precisely in order to participate in the good of learning (knowledge of the truth) and one can do so for no ulterior purpose; one goes to the doctor to preserve one’s health and life and can do so for no further purpose; one can watch a sunset or listen to a symphony just to participate in the good of beauty, etc. These goods, in other words, are “ends” for whose sake human beings act to begin with,<sup>89</sup> although, of course, people can subordinate these goods to other purposes — e.g., one can study in order to learn in order to pass an exam in order to graduate, etc., *ad infinitum*.

None of the goods in question is the highest good or absolute good; none, in other words, is the *Summum Bonum*, for God alone is this good. But each of these goods is a *real* good of human persons, a good that human persons *prize* and do not *price*, an aspect or dimension of the fullness of being human. Each of these goods, when grasped by practical reason, serves as a principle or starting point for thinking about what-is-to-be-done. Moreover, in seeking to render their choices and actions intelligible both to themselves and to others, people frequently appeal to these goods as the *raison d’être* of their choices and actions.

One further point about these basic goods needs to be noted. This has to do with their “incommensurability,” i.e., with the fact that they cannot be meaningfully arranged in any hierarchical order and compared or measured with respect to each other. Here two kinds of incommensurability need to be distinguished. The first is the incommensurability between goods of different categories, e.g., be-

tween the good of life and the good of knowledge of the truth or the good of inner peace. Grisez, Finnis, and Boyle clearly explain why there is this kind of incommensurability. "If they [the goods of diverse categories] were commensurable," they write, then "they would have to be homogeneous with one another or reducible to something prior by which they could be measured. If they were homogeneous with one another, they would not constitute diverse categories. If they were reducible to something prior, they would not be primary principles. Thus, they are incommensurable. No basic good considered precisely as such can be meaningfully said to be better than another. . . . Hence, the basic goods of different categories are called 'good' only by analogy."<sup>90</sup>

In other words, there is no rational way of comparing, say, the good of life with the good of knowledge of the truth or of friendship or of religion and of judging which is "greater." It is like comparing apples and oranges or the number 33 with the width of this page. Each is *incomparably* good in its own way, and there is no possibility of reducing them to a common denominator so that we can have some uniform measure in terms of which we could compare them — as we can, for instance, compare the number 33 with the width of this page by reducing both to a common denominator, say a millimeter, in terms of which we can meaningfully judge that the width of this page is "greater" than the number 33.

In addition to this incommensurability between the goods of diverse categories there is an incommensurability between the realizations or "instantiations" of one and the same good. There is no way, for example, of comparing the good of *my* life with the good of *your* life. Each is incomparably good. Thus, and this is most important — as we shall see more clearly in the following chapter when we discuss the method of making moral judgments known as "proportionalism" — "when one has a choice, no option includes in the instantiation of the good it promises everything promised by its alternatives — even when the alternative would instantiate the very same basic good."<sup>91</sup>

## **2. The First Principle of Morality and the Ideal of "Integral Human Fulfillment"**

Before presenting and discussing the formulation of the "first principle of morality" proposed by Grisez, Finnis, and Boyle, it is important and necessary to recall that St. Thomas included two quite different types of propositions among the "first and common precepts

of natural law.” The first type, as we have seen, includes precepts (a) that direct us to do and pursue the good and avoid evil and (b) that identify the real goods that we are to pursue, promote, and protect (human life itself; the handing on and educating of new life; knowledge of the truth about God; life in fellowship with others, and other goods “of this kind”). We have now seen how Grisez, Finnis, and Boyle develop and clarify the thought of St. Thomas on this matter. *With St. Thomas*, they hold that these principles or precepts of natural law are not as yet *moral* principles. That is, they do not enable us to discriminate between alternatives of choice that are morally good and morally bad. Everyone, the morally upright and the morally bad, appeal to these principles of practical reasoning in order to render their choices and actions intelligible and to justify (“rationalize,” on the part of the morally bad) their choices and actions to themselves and others. After all, one chooses to do what is morally bad only because one thinks that by doing so one will ultimately participate in some good and avoid some evil.<sup>92</sup> Thus, even immoral choices and actions respond in some measure to the principle that good is to be done and pursued and evil avoided.<sup>93</sup>

But, as we have seen, St. Thomas included a second set of practical propositions among the first and common principles or precepts of natural law. These had to do with the *way* we are to pursue and do good and avoid evil. Among this second set of first or common principles of natural law, it will be recalled, St. Thomas included the twofold command of love of God and neighbor, as well as the Golden Rule and the precept that we are to do injury to no one.<sup>94</sup> Although both these kinds of propositions — namely, those directing us to pursue and do the good and identifying the good we are to pursue and do and those concerned with the *way* we are to pursue and do these goods — were included by St. Thomas among the primary or most common principles or precepts of natural law, he did not himself explicitly draw attention to the difference between them.

Grisez, Finnis, and Boyle, in their effort to clarify and develop the thought of St. Thomas, explicitly distinguish between the first principles of natural law that are *principles of practical reasoning*, i.e., principles directing us to pursue and do good and avoid evil and identifying the goods we are to pursue and do, and the first principles of natural law that are *moral* principles. They show that there must be a first principle of *morality* or of practical reasonableness analogous to the first principle of *practical reasoning*. The function of the first prin-

ciple of practical reasoning is to direct human persons to the goods perfective of them and to rule out pointlessness or purposelessness in human choice and action. The function of the first principle of morality, on the other hand, is to provide a way of distinguishing between alternatives of choice that are morally good and alternatives of choice that are morally bad. Its purpose is to provide the basis for guiding choices and actions toward integral human fulfillment.

Grisez, Finnis, and Boyle note that St. Thomas considered the twofold command of love to be the *first principle of morality*: *you are to love the Lord your God and you are to love your neighbor*. St. Thomas insisted that this is the moral principle from which the moral precepts of the Decalogue are derived.<sup>95</sup> And St. Thomas, as a Christian, had very good grounds for saying that this is the first and greatest commandment upon which all others are based, for this is, after all, what Jesus taught (Mt 22.37-40 and par.). Our authors also note that the Fathers of Vatican Council II, as we have already seen, had proposed a basic or fundamental moral norm: “the norm of human activity is this: that in accord with the divine plan and will, it should harmonize with the authentic good of the human race and allow men as individuals and as members of society to pursue their total vocation and fulfill it” (*Gaudium et Spes*, n. 35).<sup>96</sup>

Grisez, Finnis, and Boyle do not deny that St. Thomas (following Scripture) and Vatican Council II have formulated the basic or first moral principle in a sound way. Referring to the biblical articulation of this principle (adopted by St. Thomas), namely, that we are to love God above all things and our neighbor as ourselves, they note that “for Jews and Christians, God is the supreme good and source of all goods.” Thus “loving him requires the cherishing of all goods . . . [including] the basic human goods. . . . And loving one’s neighbor as oneself at least excludes egoism and means accepting the fulfillment of others as part of one’s own responsibility”<sup>97</sup> — i.e., one loves one’s neighbor by willing that the goods of human existence flourish in him or her. They clearly recognize that the love commandments of the Bible authentically express the basic or first principle of morality in religious language.

In other words, they believe that the biblical (and Thomistic) and Vatican II formulations of the first or basic moral principle are sound when viewed from the perspective of religious faith. Nonetheless, they think that these formulations of this principle are not entirely satisfactory “for purposes of ethical reflection and theology.” “To serve as a

standard for practical judgment,” Grisez writes, “a formulation must refer to the many basic human goods which generate the need for choice and moral judgment.”<sup>98</sup> It should do so because the function of the first principle of morality is to provide us with a criterion for distinguishing which alternatives of choice are morally good and which are morally bad. The first principle of morality is expressed more clearly and fully if it is more closely related to the first principles of practical reasoning; this means that it should articulate “the integral directiveness of the first principles of practical reasoning, when they are working together harmoniously in full concert”<sup>99</sup> or what also might be called the directiveness of “right reason” or “unfettered practical reason.”<sup>100</sup>

Consequently, they believe that the first principle of morality, expressed religiously by the twofold command to love, can be more precisely formulated for philosophical and theological purposes as follows: “In voluntarily acting for human goods and avoiding what is opposed to them, one ought to choose and otherwise will those and only those possibilities whose willing is compatible with a will toward integral human fulfillment.”<sup>101</sup>

The matter can be put this way. If we are to be morally upright persons, our basic, fundamental attitude ought to be that of persons who are eager to embrace, revere, and honor the real goods perfective of human persons and the persons in whom these goods are meant to flourish. It is to these goods that we are directed by the first principles of practical reasoning. Our “heart” ought to be open to them. A person about to choose in a morally upright way is open to *all* the real goods perfective of human persons and listens to *all* the appeals they make through the principles of practical reasoning. A morally upright person is a person whose practical reason is “unfettered.” A person like this is one responsive to the “integral directiveness of all the first principles of practical reasoning,” precisely insofar as he or she is willing to affirm, embrace, revere, and honor all the real goods of human existence in his or her self-determining choices.

A person about to choose immorally, on the other hand, is one who does *not* have this attitude toward these goods and the persons in whom they are meant to flourish. Such a person is willing to adopt by choice proposals that in one way or another neglect, ignore, slight, damage, destroy, or impede these goods or treat them and the persons in whom they are meant to flourish in ways that are unfair and arbitrary. Morality comes from the heart, and our hearts ought to be

open to what is really good.<sup>102</sup> All this is central to understanding this formulation of the first principle of morality.

It is important to note here that the "integral human fulfillment" to which we are directed by the first principle of morality is *not* itself a basic human good alongside of or in addition to the basic goods already identified. While it is by no means individualistic self-fulfillment, it is not "some sort of supergood transcending all other categories of goodness"<sup>103</sup> or "some gigantic synthesis of goods in a vast state of affairs, such as might be projected as the goal of a worldwide billion-year plan."<sup>104</sup> Unlike the basic goods, it is not a *reason* for acting. It is, rather, an ideal whose attractiveness depends on *all* the goods which can appeal to persons and serve as reasons for acting.<sup>105</sup> This ideal guides human persons in making choices by directing them "to avoid unnecessary limitation and so maintain openness to further goods."<sup>106</sup>

By doing so, the ideal of integral human fulfillment, while not itself a basic good, constitutes the "object" of a good will and as such "rectifies" the will, i.e., it is the object of "right" or "unfettered human reason." The will of a person committed to choosing and acting in accord with the requirements of integral human fulfillment is the will of a person inwardly disposed to choose well, to choose in accord with unfettered or "right" reason. In short, it is the ideal community of all human persons richly fulfilled in all human goods, for whose realization a virtuous person wishes; this ideal guides such a person's choices in pursuing particular benefits for particular persons and communities.<sup>107</sup>

I think that it is pertinent to note here how the thought of Grisez, Finnis, and Boyle on this matter is related to the thought of St. Thomas. For St. Thomas the moral virtues inwardly dispose persons rightly toward the "ends" of human existence, i.e., toward the basic human goods perspective of them as individuals as members of a community.<sup>108</sup> For our authors, the ideal of integral human fulfillment, proposed by the first moral principle as they have expressed it, is the "object" of unfettered human reason, of right reason. It thus provides the criterion in terms of which moral virtues are intelligible, for moral virtues are precisely dimensions or aspects of a person who is (more or less) integrated with moral truth, i.e., of a person committed to choosing in light of the requirements of integral human fulfillment.

All this is most important, and its significance will be made clearer below, in section 5, when I consider the issue of "moral priorities,

religion, and God" within the framework provided by the first moral principle which directs us to integral human fulfillment.

### **3. The Specifications of the First Principle of Morality: The Modes of Responsibility**

Just as the first principle of practical reasoning, namely, *good is to be done and pursued and evil is to be avoided*, is specified by identifying the real goods of human persons that are to be done and pursued, so too the basic moral principle of practical reasonableness can be specified by identifying ways of choosing that do, in fact, fail to honor and respect "integral human fulfillment," i.e., the whole range of real goods perfective of human persons. St. Thomas identified some of these specifications of the first moral principle (formulated by him in the twofold command to love) when he referred to the principle of the Golden Rule (do unto others as you would have them do unto you; do not do unto others as you would not have them do unto you) and the principle that we are to do injury to no one (principles he included among the "first and common" precepts of natural law).

Grisez, Finnis, and Boyle, in an effort to develop in a more systematic and clearer fashion what St. Thomas was up to in articulating these basic moral principles, seek to identify with more precision the specifications of the first moral principle. These specifications of the first normative principle can be called "modes of responsibility," requirements of unfettered practical reason or of practical reasonableness.<sup>109</sup> Their purpose is to specify, "pin down," the primary moral principle by excluding as immoral those actions which involve willing in certain specific ways incompatible with a will toward integral human fulfillment.<sup>110</sup> These modes exclude specific kinds of choices involving various immoral relationships between the acting person and the goods perfective of human beings.

In their earlier writings Grisez, Finnis, and Boyle expressed these specifications of the first moral principle in affirmative and negative ways. Affirmatively, they noted that, if we are to act rightly, we are required to take the real goods of human persons into account in judging and choosing what to do; simply to disregard them, to be unconcerned and lazy about them, is to manifest a will that is not truly open to them. In addition, we are required to pursue these real goods of human existence and to seek them rather than such pseudo-goods as pleasure. Moreover, each one of these goods demands of us that, when we can do so easily as not, we avoid ways of acting that inhibit their realiza-



tion and prefer ways of acting that contribute to their realization. In addition, each of these goods requires us to make an effort on its behalf (and on behalf of the person or persons in whom it is meant to flourish), when its significant realization in some other person or persons is in peril — e.g., if someone is about to drown and thus be deprived of the good of life and we are capable of preventing his or her drowning, we are morally obligated to do so.

Other requirements necessary if we are to shape our lives in accord with the first principle of morality include the principle of fairness or the Golden Rule (which, as we have seen, is one of the specifications of the first moral principle identified by St. Thomas). And one requirement that is surely crucial is that we ought not freely choose, with deliberate intent, to set aside these goods, to destroy, damage, or impede them either in ourselves or in others. We might be tempted to do so out of hostility toward some good that we arbitrarily do not wish to accept; or, more commonly, we may be tempted to do so because the continued flourishing of one or another good either in ourselves or in others inhibits our participation in some other good that we unreasonably erect as “greater.” We are, in short, not to do evil so that good may come about — an instruction that St. Paul gave Christians in Romans 3.8, and that St. Thomas expressed when he said that one of the first and common precepts of natural law is that we are to do injury to no one.<sup>111</sup>

In their more recent writings, Grisez, Finnis, and Boyle express all the modes of responsibility negatively rather than expressing some affirmatively and others negatively. They do so because formulating these modes negatively shows that it is impossible for them to come into conflict, because one can simultaneously forbear choosing and acting in an infinite number of ways.<sup>112</sup> The precise way in which our authors formulate these modes negatively is provided in the accompanying note.<sup>113</sup> Put in more simple language, they exclude ways of choosing whereby one would intentionally ignore, slight, neglect, damage, destroy, or impede real human goods or act in ways based purely on nonrational feelings or in ways that unfairly and arbitrarily limit participation by human persons in these goods.

The specifications of the first moral principle taken together guide human choices and actions positively toward the ideal of integral human fulfillment. Together with the first moral principle which they “pin down,” they enable human persons to have a vision of moral truth — a world view that opens them to transcendent sources of meaning

and value. Although, as Grisez observes, “alternative world views tempt people to turn from the vision of moral truth,” anyone “who deals uprightly with this temptation makes a more or less explicit commitment to integral human fulfillment. *Such a commitment is basic in the sense that it shapes the whole life of the one who makes it.* For Christians, their act of faith constitutes such an upright commitment; for those who have not heard the gospel, their basic commitment [to shape their lives in accord with moral truth] serves as an implicit act of faith”<sup>114</sup> (emphasis added). This, as we shall see more fully below in discussing “moral priorities, religion, and God,” is of paramount importance.

#### **4. From Modes of Responsibility to Specific Moral Norms**

Recall that St. Thomas, who considered the precept to love God above all things and one’s neighbor as oneself as the first moral principle of natural law, thought that it is possible to infer “immediately, with little consideration,” some very specific moral norms on the basis of this fundamental moral principle; for he held that the precepts of the Decalogue follow as immediate and proximate conclusions from the precept to love God and neighbor.<sup>115</sup>

Grisez, Finnis, and Boyle think that it is necessary here to clarify and develop Thomas’s thought on natural law by making explicit those matters that he treated more or less implicitly. They point out that he included, among the first and common precepts of natural law, not only the love commandment but also such normative principles as the Golden Rule and the injunction that we are to do injury to no one — principles included in their modes of responsibility or specifications of the first moral principle (modes five, seven, and eight). Their point is that principles of this kind — the principle of fairness or the Golden Rule, the principle that we ought not intentionally damage, destroy, or impede basic human goods, etc. — enable us to show the truth of more specific moral norms, such as those requiring us to keep promises, not to kill the innocent, not to commit adultery, etc. That is, they enable us to show why these specific moral norms indeed follow as conclusions from the first moral principle or norm.<sup>116</sup> The modes of responsibility, in other words, are normative principles more specific than the first principle of morality, but they are more general than specific moral norms identifying kinds of human choices as morally good or morally bad. Such specific norms are discovered by considering the ways a proposed human action relates a person’s will to basic human goods

and by considering such a proposed human action in light of the first principle of morality and its specifications.

For example, one specific moral norm is that we ought to keep promises. The truth of this specific moral norm can be seen if we consider the action at stake, keeping a promise, in the light of the first moral principle and of the Golden Rule or mode of responsibility requiring us to be fair and treat others as we would have them treat us. Similarly, we can grasp the truth of the specific moral norm requiring us not to kill the innocent intentionally if we consider this type of action — one that intentionally destroys the good of innocent human life — in the light of the first moral principle and of the modes of responsibility requiring us not to destroy, damage, or impede basic human goods, either in ourselves or in others, whether out of hostility toward that good or because we consider its continued flourishing an inhibition to our participation in some other good that we arbitrarily prefer.

Many specific moral norms, while true, are not absolute or exceptionless. These norms are nonabsolute because they are open to further specification in light of the same moral principles from which they were derived in the first place. Promise-keeping is an example. We are obliged to keep our promises in light of the good of interpersonal harmony, the basic moral norm, and the Golden Rule or principle of fairness that excludes arbitrary partiality (the fifth mode of responsibility). However, promises and the cooperation they foster very often concern goods other than interpersonal harmony. When keeping a promise would harm these goods, and if these goods could be protected by breaking the promise *without being unfair or violating the Golden Rule*, then the obligation to keep the promise ceases. Thus, for example, if I promise a friend to play tennis on a specific morning and, on awakening that morning, discover that I have a temperature and am sick with the flu, I would not be obliged to keep the promise — and my friend would understand why, for my friend would not regard it unfair for me to break the promise in order to protect the good of health and life.<sup>117</sup> In other words, the principle of fairness or the Golden Rule generated the norm that promises are to be kept; the same principle or mode of responsibility generates exceptions to this norm.

But some specific moral norms, in the understanding of natural law developed by our authors, are absolute or exceptionless. For example, the specific moral norm proscribing the intentional killing of innocent human life, which violates either the seventh or eighth modes of responsibility, is absolute. This norm and others like it are absolute be-

cause nothing which can further specify the kind of action which the norm concerns would prevent it from violating the relevant mode of responsibility and the first principle of morality itself. In short, any norm which so specifies an object of human choice so that no further condition or circumstance could so modify it that it no longer violated a relevant mode of responsibility and, therefore, the first principle of morality, is absolute. In choosing such an object — willing such a proposal — we are not acting in accord with the ideal of integral human fulfillment, the object “rectifying” the will. We are not to “do” evil, i.e., to make ourselves will that evil be, no matter what the further circumstances may be or no matter what good we may seek to realize by our willingness to do what we know to be evil.<sup>118</sup>

### **5. Moral Priorities, Religion, and God**

In order to complete the presentation of the natural law theory of Grisez, Finnis, and Boyle, it is imperative to set forth their thought on moral priorities, religion, and God.

Before summarizing their thought on these issues, I think it pertinent to note a passage from Vatican Council II, insofar as it expresses a truth that is, as shall be seen, central to their understanding of natural law, of the requirements imposed by the ideal of integral human fulfillment and expressed in the first principle of morality. The Council Fathers declared: “It is in accordance with their dignity that all men, because they are persons, that is, beings endowed with reason and free will, and therefore bearing personal responsibility, are both impelled by their nature and bound by a moral obligation to seek the truth, especially religious truth. They are also bound to adhere to the truth once they come to know it and to direct their whole lives in accordance with the demands of truth” (*Dignitatis Humanae*, n. 2).

How is this truth expressed in the thought of Grisez, Finnis, and Boyle on natural law, and why is it so central? This is what I hope to show here.

One might think that the position developed by our authors does not offer any way to account for moral priorities and for the overarching significance of the obligation to seek moral and religious truth. After all, do they not insist, as we have seen, that the basic human goods and the principles of practical reasoning based on them are incommensurable and that, therefore, there is no rational way of arranging them in a hierarchy and judging that any one basic good, including that of religion or of harmony between human persons and God or “some

more-than-human source of meaning and value,” is “greater” than another?

In one of their most recent and important essays, Grisez, Finnis, and Boyle acknowledge that “*some* statements in *some* of our previous works may *appear* to suggest” that it is impossible to establish moral priorities. However, they rightly insist that this way of viewing their thought “is incorrect and incompatible with constant features of the theory developed in all our works.”<sup>119</sup> Although the basic human goods and principles of practical reasoning are incommensurable and impossible to arrange in a hierarchy, it does not follow that they are “an unordered crowd which offer no objective standard for setting moral priorities in life,” insofar as “unfettered practical reason,” prior to anyone’s free choice, “establishes some priorities among one’s interests in the different basic aspects [goods] of fulfillment.”<sup>120</sup>

What do they mean by this? Recall that, as we saw earlier, integral human fulfillment is the ideal toward which we are directed by the first principle of morality, and that it in turn expresses the requirements of “right reason,” “unfettered practical reason,” i.e., the integral or full directiveness of *all* the principles of practical reasoning. Among these requirements of unfettered practical reason is the requirement that we develop an intelligent or rational plan of life and not live haphazardly from moment to moment, drifting along aimlessly from day to day. In addition, as we have seen already, commitment to the ideal of integral human fulfillment provides us with a vision of moral truth, a “world view” that is so basic it shapes the whole life of the one who makes it. And one cannot shape one’s whole life or develop an intelligent plan of life without having moral priorities. But what are these priorities, and why is the obligation to pursue moral and religious truth so overarching among them?

The reflexive goods of human persons (inner peace, peace of conscience, peace and friendship with others, harmony with God or some “more-than-human source of meaning and value”), as we have seen, do not, of themselves have *moral* value, insofar as one can participate in them immorally by compromising moral principles. Nonetheless, as Grisez, Finnis, and Boyle make clear, interest in these reflexive goods takes priority whenever they are at stake precisely because these goods fulfill human persons *insofar as they are moral beings, i.e., deliberating, choosing agents “who can strive to avoid or overcome various forms of personal and interpersonal conflict.”*<sup>121</sup> Thus, for example, the good of peace of conscience or harmony among one’s judgments,

choices, and performances, can be realized immorally by harmonizing one's judgments and performances with one's immoral choices, i.e., one can rationalize one's own immoral choices. But, as our authors say, "if one considers this good morally — that is, with practical reason unfettered — one sees that the only way to realize it is consistent with integral human fulfillment is by making sure that one's judgments are morally true, conforming one's choices to them, and striving to make one's performances carry out one's choices as perfectly as possible."<sup>122</sup> A human person's very existence *as a moral being, an agent of deliberation and choice*, in other words, is at stake whenever these goods of personal and interpersonal harmony come into focus. And among them is the good of religion or of harmony between human persons and God or some "more-than-human source of meaning and value." As a result, the integral directiveness of practical knowledge as expressed in the first moral principle requires us to establish priorities in our interests in the basic human goods and to put order into our lives in accordance with these priorities. In short, the demands of moral truth require us to integrate our lives and choices by ordering our interests in the basic human goods. We do this by unifying our lives and choices in view of an overarching purpose.

This overarching purpose, our authors argue, "can be established by a religious commitment and cannot be established without it."<sup>123</sup> Their argument can be put this way. Practical knowledge, the kind of knowledge involved, as we have seen, in the "natural law," is knowledge of what-is-to-be, i.e., of what-is-to-be-done in and through human agency. The principles of practical knowledge, as we have likewise seen (namely, "good is to be done and pursued and its opposite avoided," together with the practical principles identifying the goods that are to be done and pursued), are the *underived* principles or starting points for thinking about what-is-to-be, and we *know* that these principles are underived. Their integral directiveness which, as we have seen, is expressed in the first moral principle, preconditions all human self-direction and fulfillment. It is a directiveness that human beings discover and do not give to themselves. As such, therefore, the "*is-to-be* of the directiveness of practical knowledge *points to its transcendent source*," which, since it is a transcendent source of directiveness, "can only be thought of as if it were a person anticipating human fulfillment and leading human persons to it."<sup>124</sup> Harmony with this transcendent source is, indeed, *one* of the basic goods fulfilling, perfecting, human persons — the good of religion or of harmony

with God or some “more-than-human source of meaning and value.” It thus follows that one of the natural responsibilities of human persons “is the duty to seek religious truth, embrace what appears to be the truth, and live according to it.”<sup>125</sup> What all this shows is that it is possible for a person to integrate his or her whole moral life only by committing himself or herself to the search for religious truth, for the transcendent source of meaning and value — in a word, for God.

In addition, we know, from our own experience, that realizing the ideal of integral human fulfillment to which the first principle of morality directs us is not, unfortunately, within our power. “Therefore,” our authors argue, “in intending an anticipated and hoped for benefit, every human person in every action wills . . . that the benefit come about both through the action [one rightly chooses] and through whatever causality is required, insofar as that fulfillment is beyond the agent’s own knowledge and power.”<sup>126</sup> Ultimately, the “causality” other than one’s own that is required in order to achieve the ideal of integral human fulfillment is the cooperation of the “more-than-human source of meaning and value,” i.e., of God. Trust in this more-than-human source of meaning and value provides hope that one’s morally good choices will, indeed, enable one to achieve the ideal of integral human fulfillment.<sup>127</sup>

Unfettered practical reason or the integral directiveness of the principles of practical reason expressed in the first moral principle, is, therefore, the principle both enabling and requiring us to establish priorities in our interests in the basic human goods. Its demands require us to plan our lives intelligently by having a harmonious set of purposes in life, conceived not on the model of technological “blueprints,” but in the sense of life-determining commitments. And among these, the commitment that is of primordial importance, overarching significance, is the commitment to discover religious truth, the truth about our relationship with God, the “more-than-human source of meaning and value.” In short, “harmony with the divine [the ‘more-than-human source of meaning and value’], however misconceived, will be thought to condition one’s hopes of achieving every other purpose in life.”<sup>128</sup>

Moreover, as experience so poignantly bears witness, the effort to shape one’s life in accord with the demands of moral truth — with the demands of the ideal of integral human fulfillment, of unfettered practical reason — is at times frustrated. One does one’s best, but still the anticipated benefit is not realized. Thus, our authors conclude, “In ex-



periencing and accepting failure, morally good people submit to the intention of God, who could have granted them success, but did not, obviously for some reason of his own. In this submission, human persons will God's fulfillment insofar as it fulfills him — [that is, they] love him as a person. For morally good persons, their religious commitment [therefore] will provide at least one purpose to integrate their other commitments."<sup>129</sup>

In sum, the integral directiveness of the demands of practical reason, “unfettered” practical reason, as expressed in the first principle of morality, ultimately leads persons to order their lives by an overarching commitment to religious truth, to a search for the “more-than-human source of meaning and value,” and to the hope that their struggle to live uprightly, despite failures, will ultimately contribute to achieving integral human fulfillment. In Chapter Five, when we come to a consideration of our life in Christ, we will see how this natural law and its requirements are fulfilled, perfected, and completed by the evangelical law made known to us in the redemptive work of Christ.

## ***6. A Summary of the Natural Law Teaching of Grisez, Finnis, and Boyle***

Before offering an assessment of the thought of these authors on natural law, I think it may be helpful to provide a summary of their thought on this subject. I will do so by first presenting a summary of this position as set forth by Finnis in 1980 and then by setting forth a restatement of it in the light of the greater precision that he, Grisez, and Boyle have made in their efforts to deepen and clarify the meaning of natural law.

In 1980 Finnis offered the following brief overview of the essential features of a theory of natural law: “There is (i) a set of basic practical principles which indicate the basic forms of human flourishing as goods to be pursued and realized, and which are in some way or another used by everyone who considers what to do, however sound his conclusions; (ii) a set of basic methodological requirements of practical reasonableness (itself one of the basic forms of human flourishing) which distinguish between acts that (always or in particular circumstances) are reasonable all-things-considered (and not merely relative-to-a-particular-purpose) and acts that are unreasonable-all-things-considered, i.e., between ways of acting that are morally right or morally wrong — thus enabling one to formulate (iii) a set of general moral standards.”<sup>130</sup>



In light of the developments in the thought of Grisez, Finnis, and Boyle since 1980 (many of which have simply made explicit elements of their thought implicit in writing prior to that time and which I have sought to integrate into the preceding summary of their ideas), this synoptic presentation of natural law can now be expressed as follows:

The natural law consists of an ordered set of true propositions of practical reason. The first set (i) consists of first principles of practical reasoning, of which the fundamental principle is that *good is to be done and pursued and evil is to be avoided*, a principle that is given specific determinations by identifying the basic forms of human flourishing which are the goods that are to be pursued and realized. These principles of practical reasoning are used in one way or another by everyone who considers what to do, however unsound his conclusions. The second set (ii) consists of (a) the first principle of morality — which expresses the integral directiveness of *all* the principles of practical reasoning — and (b) its specifications or modes of responsibility. The first principle is that *in voluntarily acting for human goods and avoiding what is opposed to them, one ought to choose and otherwise will those and only those possibilities whose willing is compatible with a will toward integral human fulfillment*. Its specifications — the modes of responsibility — exclude ways of choosing that ignore, slight, neglect, arbitrarily limit, or damage, destroy, or impede basic human goods. In the light of the first principle of morality and its specifications human persons are able to distinguish between acts reasonable-all-things-considered (and not merely relative-to-a-particular-purpose) and acts that are unreasonable-all-things-considered, i.e., between ways of acting that are morally right and morally wrong. The third set (iii) of natural law propositions, formulated in light of the first and second sets, consists of specific moral norms, of which some are absolute whereas others admit of exceptions in light of the principles that gave rise to them to begin with.

In addition, the integral directiveness of the first principles of practical reasoning — expressed in the first principle of morality that directs us toward the ideal of integral human fulfillment — provides us with the criterion for establishing moral priorities among our interests in the basic goods of human existence. When these goods are considered from the perspective of this integral directiveness — the directiveness of unfettered practical reason — the good of religion, or of harmony between human persons and God or the “more-than-human source of meaning and value” is seen to have a priority insofar as commitment to this good

offers to human persons an overarching purpose in terms of which they can order their lives as a whole. Thus a commitment to religious truth emerges as the commitment that can integrate the whole of human life when this is conceived in the light of the demands of moral truth.

## **7. *An Assessment of the Thought of Grisez, Finnis, and Boyle on Natural Law***

Although it is not possible here to attempt a full assessment of the work of Grisez, Finnis, and Boyle regarding natural law (to do so would take us far beyond the purposes of this chapter), I think it is important to offer a brief evaluation of their thought. I will do so by relating it to the thought of St. Thomas and by briefly commenting on some of the reactions that their work has elicited from others.

In my opinion, the thought of Grisez, Finnis, and Boyle on natural law has great significance and is very helpful in any effort to understand what is meant by “natural law.” While their thought is rooted in that of St. Thomas, they have clearly sought not only to clarify and develop basic features of St. Thomas’s work but also to make their own contributions to natural law theory. First of all, St. Thomas did not attempt to identify all the basic goods of human persons; he rather provided an illustrative list — something that has been made clear earlier in my summary of St. Thomas’s teaching on natural law. Grisez, Finnis, and Boyle, on the other hand, seek to identify all the basic goods of human persons and to distinguish between those that are “reflexive” or “existential” and those that are “substantive.”

Second, they clearly distinguish between the two sorts of practical propositions which St. Thomas had included among the “first and common principles of natural law.” As we have seen, St. Thomas included among these first and common principles of natural law two sorts of propositions: (1) the first sort directed us to do and pursue the good and identified the good that is to be done and pursued; (2) the second concerned the way we are to pursue and do the good. But St. Thomas did not clearly distinguish between these two kinds of first principles of natural law. Grisez, Finnis, and Boyle, as we have seen, do so. They identify the first sort of propositions as the “first principles of practical reasoning,” and they identify the second sort of propositions as the “first principles of morality,” i.e., principles enabling us to discriminate between morally good and morally bad alternatives of choice and action. The very first of these principles — which St. Thomas had formulated in religious biblical language as the com-

mandments to love God and neighbor — they think is better formulated for philosophical theological purposes in terms of making choices in accordance with a will toward integral human fulfillment.

Third, St. Thomas had identified, in addition to the first moral principle (formulated in the love commandments), such moral principles as the Golden Rule and the principle that we are to do injury to no one. Grisez, Finnis, and Boyle seek to identify all such moral principles which further specify the first moral principle. They call them the “modes of responsibility.” They are principles enabling us to move from the very first principle of morality to specific moral norms, such as those we find in the Decalogue. St. Thomas regarded the precepts found in the Decalogue as “conclusions” from the first moral principle (and from such principles as the Golden Rule), but he did not clearly show the process of moral reasoning from the first principle to these more specific moral norms. Grisez, Finnis, and Boyle have much more clearly shown this in their development of natural law thought.

In my judgment, the work of Grisez, Finnis, and Boyle on the three issues noted here (the identification of the basic goods, the distinction between “principles of practical reasoning” and “principles of morality,” and the process of moral deliberation proceeding from the first principle of morality to specific moral norms by means of the modes of responsibility that further specify the first moral principle) marks a significant contribution to natural law theory and substantively builds on the foundations of St. Thomas.

Finally, they also, in my opinion, throw light on the relationship between natural law, which is a participation in the eternal law, and the eternal law. They do so because they show why the first principle of morality, which expresses the integral directiveness of all the principles of practical thinking, and the ideal of integral human fulfillment to which it directs us, requires us to adopt an intelligent plan of life, one in which commitment to religious truth is of overarching importance. By doing this, they show how the natural law opens us to God, the transcendent source of meaning and value.

The work of Grisez, Finnis, and Boyle has been, to a large extent, ignored or quite inadequately considered by “revisionist” Catholic moral theologians, who deny that there are any moral absolutes and whose thought will be examined in the next chapter. Several philosophers have claimed that their work is not firmly grounded in the thought of St. Thomas. Some of these philosophers, most notably Russell Hittinger, Ralph McInerny, and Henry Veatch charge them

with failing to ground the precepts of natural law in human nature itself.<sup>131</sup> Grisez, Finnis, and Boyle, however, have responded fully to this kind of criticism.<sup>132</sup> In their responses they have clearly shown that St. Thomas considered the principles of natural law to be *underived*, i.e., that one comes to know these principles without the need to derive them from some prior knowledge of human nature (this is something I have tried to show in my own presentation of St. Thomas's natural law thought). But at the same time they have shown that erroneous understandings of the human person can indeed block or inhibit one's ability to grasp rightly the goods of human existence and the principles based on them. It is obvious that the goods perspective of human persons would be different from what they are if human persons had a different kind of nature than they do. Still this does not mean that one comes to know these goods and the principles based on them by deriving them from one's speculative understanding of human persons. It is, nonetheless, necessary to defend, by dialectical argument, the truth of these first principles, and this Finnis, Grisez, and Boyle have sought to do.

In addition, other scholars have shown that the kind of criticism raised by Hittinger and others against the thought of our authors is misplaced and inaccurate, based at times on misunderstandings or misinterpretations of their thought. Among such scholars are Robert George and William Marshner.<sup>133</sup> In fact, the most comprehensive and exacting study of the work of our authors, Aurelio Ansaldo's *El Primer Principio del Obrar Moral y Las Normas Morales Específicas en el Pensamiento de G. Grisez y J. Finnis*, defends them from the type of criticism noted already.<sup>134</sup> Ansaldo's work is of special importance, for it is a very patient, exacting, and thorough study of their work along with an analysis of key features of St. Thomas's thought. Ansaldo himself raises some important questions about the work of Grisez, Finnis, and Boyle. But to take them up here would lead us too far afield [the accompanying note offers some observations about Ansaldo's questions].<sup>135</sup>

## CONCLUSION

This chapter has reviewed in depth the teaching of St. Thomas on natural law. In addition, it has summarized relevant teachings of Vatican Council II on the subject and has provided an extensive account of the thought of Germain Grisez, John Finnis, and Joseph Boyle on natural law. From the material presented here, readers should now be able to understand, in a more precise and comprehensive way,

what is meant by “natural law” and its role in our moral lives. It is not a mystery, a funny internal feeling, a fuzzy concept. It is, rather, an ordered set of true propositions of what we are to do if we are to be fully the beings we are meant to be.

As already noted, it is the natural law which is perfected, fulfilled, completed by the evangelical law of love, of a more-than-human kind of love, the love that God himself has for us. In Chapter Five, when we will be concerned with our life as moral persons in Christ, we shall seek to show how the evangelical law of love fulfills and completes the natural law.

## Notes for Chapter Two

1. *Summa Theologiae*, 1-2, 93, 2; the other texts of St. Thomas to which *Dignitatis Humanae* refers are 1-2, 91, 1, and 93, 1.

2. For the historical development of Thomas’s thought on natural law, see the following: Odon Lottin, *Le droit naturel chez Saint Thomas d’Aquin et ses prédécesseurs* (Bruges: Beyaert, 1931); Michael Bertram Crowe, *The Changing Profile of the Natural Law* (The Hague: Martinus Nijhoff, 1977), pp. 136-191; R. A. Armstrong, *Primary and Secondary Precepts in Thomistic Natural Law Thinking* (The Hague: Martinus Nijhoff, 1966), pp. 56-114. Lottin, Armstrong, and Crowe in an earlier article (“St. Thomas and the Natural Law,” *Irish Ecclesiastical Record* 76 [1951] 293-305) follow the chronology of Aquinas’s works proposed by Grabmann and Mandonnet, and consequently consider the discussion of natural law in St. Thomas’s *Commentary on the Nicomachean Ethics* (written, according to Grabmann, c. 1261-64, or, according to Mandonnet, c. 1266) chronologically prior to the presentation in the *Summa Theologiae*. In his *Changing Profile of the Natural Law* Crowe adopts the more accurate chronology proposed by R. Gauthier (“La date du commentaire de saint Thomas sur l’éthique a nicomaque,” *Recherches de théologie ancienne et médiévale* 18 [1951] 66-105 and *Sententia Libri Ethicorum [Sancti Thomae de Aquino Opera Omnia]*, t. xlvii, Romae, 1969, praefatio, p. 201), who suggests the years 1271-72 for the composition of the *Commentary on the Nicomachean Ethics*, making it either contemporary with or perhaps a little after the composition of the *Prima Secundae* of *Summa Theologiae*.

3. *Summa Theologiae*, 1-2, 90, 1: “Lex quaedam regula est et mensura actuum, secundum quam inducitur aliquis ad agendum vel ab agendo retrahitur . . . Regula autem et mensura humanorum actuum est

ratio, quae est primum principium actuum humanorum. . . . rationis autem est ordinare ad finem, qui est principium in agendis. . . . Unde relinquitur quod lex sit aliquid pertinens ad rationem.”

4. Ibid., ad 1: “cum lex sit regula quaedam et mensura, dicitur dupliciter esse in aliquo. Uno modo, sicut in mensurante et regulante. Et quia hoc est proprium rationis, ideo per hunc modum lex est in ratione sola. Alio modo, sicut in regulato et mensurato. Et sic lex est in omnibus quae inclinantur in aliquid ex aliqua lege, potest dici lex, non essentialiter, sed quasi participative.”

5. Ibid., ad 2: “sicut in actibus exterioribus est considerare operationem et operatum . . . ita in operibus rationis est considerare ipsum actum rationis, qui est intelligere et ratiocinari, et aliquid per huiusmodi actum constitutum. Quod quidem in speculativa ratione primo quidem est definitio; secundo, enunciatio; tertio vero, syllogismus vel argumentatio. Et quia ratio practica utitur quodam syllogismo in operabilibus . . . ideo est invenire aliquid in ratione practica quod ita se habeat ad operationes, sicut se habet propositio in ratione speculativa ad conclusiones. Et huiusmodi propositiones universales rationis practicae ordinatae ad actiones habent rationem legis. Quae quidem propositiones aliquando actualiter considerantur, aliquando vero habitualiter a ratione tenentur.”

6. Ibid., 90, 2.

7. Ibid., 90, 3.

8. Ibid., 90, 4.

9. Ibid., 91, 1: “nihil est aliud lex quam quoddam dictamen practicae rationis in principe qui gubernat aliquam communitatem perfectam. Manifestum est autem . . . quod tota communitas universi gubernatur ratione divina. Et ideo ipsa ratio gubernationis rerum in Deo sicut in principe universitatis existens, legis habet rationem.”

10. Ibid., 93, 1: “lex aeterna nihil aliud est quam ratio divinae sapientiae, secundum quod est directiva omnium actuum et motionum.”

11. Ibid., 91, 1, ad 1 and ad 2; 93, 1, ad 2.

12. Ibid., 91, 2: “lex, cum sit regula et mensura, dupliciter potest esse in aliquo . . . alio modo, sicut in regulato et mensurato, quia inquantum participat aliquid in regula vel mensura, sic regulatur et mensuratur. Unde cum omnia quae divinae providentiae subduntur, a lege aeterna reguntur et mensurentur . . . manifestum est quod omnia participant aliquid legem aeternam, inquantum scilicet ex impressione eius habent inclinationes in proprios actus et fines.”

13. Ibid., 91, 2 and ad 3. The text cited in note 12 (91, 2) and the response to the third objection, ad 3: "in creatura irrationali non participatur rationaliter; unde non potest dici lex nisi per similitudinem."

14. Ibid., 91, 2: "Inter cetera autem rationalis creatura excellentiori quodammodo divinae providentiae subiacet, inquantum et ipsa fit providentiae particeps, sibi ipsi et aliis providens. Unde et in ipsa participatur ratio aeterna, per quam habet naturalem inclinationem ad debitum actum et finem. Et talis participatio legis aeternae in rationali creatura lex naturalis dicitur. Unde cum Psalmista dixisset (Ps 4.6), 'Sacrificate sacrificium iustitiae,' quasi quibusdam quaerentibus quae sunt iustitiae opera, subiungit: 'Multi dicunt, Quid ostendit nobis bona?' cui quaestioni respondens, dicit: 'Signatum est super nos lumen vultus tui, Domine,' quasi lumen rationis naturalis, quo discernimus quid sit bonum et malum, quod pertinet ad naturalem legem, nihil aliud sit quam impressio divini luminis in nobis. Unde patet quod lex naturalis nihil aliud est quam participatio legis aeternae in rationali creatura."

On this issue it is worth noting what D. O'Donoghue says in his helpful article, "The Thomist Concept of the Natural Law," *Irish Theological Quarterly* 22 (1955) 93-94: "there are two ways of understanding rational participation: We might see it as a *receptive* participation: created reason is receptive of Eternal Law just as irrational nature is . . . though in a higher way. . . . Or we might see rational participation as *legislative*, as participation in the very activity of legislating. . . . That we must understand rational participation in the second sense, seeing human reason as regulative rather than regulated, is clear from the fact that St. Thomas identifies the Natural Law with the 'propositions' or 'precepts' of natural reason [see below, notes 18-21]. The matter is put beyond doubt by the discussion in Q. 93, a. 6, where a sharp distinction is drawn between participation in Eternal Law by way of *inclinatio naturalis ad id quod est consonum legi aeternae* and *ipsa naturalis cognitio boni*. . . . That which differentiates Natural Law from natural inclination, and makes it law in the proper sense, is the fact that it is the work of reason, expression rather than impression. It comes from God, as all human things . . . but the mind receives it, not as itself an object which is revealed by it, but as becoming a source of light, discerning and declaring the truth for human activity (cf. 1-2, 91, 2)."

On this matter, see also Martin Rhonheimer, *Natur als Grundlage der Moral: Eine Auseinandersetzung mit autonomer und teleologischer Ethik* (Innsbruck and Vienna: Tyrolia Verlag, 1987) pp. 67-74.



15. *Summa Theologiae*, 1-2, 91, 1, ad 3: "etiam animalia irrationalia participant rationem aeternam uno modo, sicut et rationalis creatura. Sed quia rationalis creatura participat eam intellectualiter et rationaliter, ideo participatio legis aeternae in creatura rationali proprie lex vocatur: nam lex est aliquid rationis. . . . In creatura autem irrationali non participatur rationaliter; unde non potest dici lex nisi per similitudinem."

16. *Ibid.*, 91, 2, ad 1. On this matter, see Rhonheimer, *Natur als Grundlage der Moral*, pp. 70-72.

17. On the views of Thomas's predecessors regarding the relationship between synderesis and natural law, see Crowe, *The Changing Profile of the Natural Law*, pp. 111-135. Also see Crowe, "The Term *Synderesis* and the Scholastics: St. Thomas and *Synderesis*," *Irish Theological Quarterly* 23 (1956) 228-245.

18. *Summa Theologiae*, 1-2, 94, 1: "aliquid potest dici esse habitus dupliciter. Uno modo, proprie et essentialiter; et sic lex naturalis non est habitus. Dictum est enim supra quod lex naturalis est aliquid per rationem constitutum. . . . Non est autem idem quod quid agit, et quo quis agit. . . . Cum igitur habitus sit quo quis agit, non potest esse quod lex aliqua sit habitus proprie et essentialiter. Alio modo potest dici habitus id quod habitu tenetur. . . . Et hoc modo, quia praecepta legis naturalis quandoque considerantur in actu a ratione, quandoque autem sunt in ea habitualiter tantum, secundum hunc modum potest dici quod lex naturalis sit habitus."

19. Here it is important to stress the role that practical reason plays for St. Thomas and the significance of the difference between speculative and practical reason. According to Thomas, there are *not* two reasons in man, speculative and practical, but there *are* two basically different ways in which intelligence or reason is exercised. In speculative inquiry its concern is with *what is*. In practical inquiry its concern is with *what-is-to-be-done-or-made* by rational or intelligent beings. And in both realms there are nondemonstrable starting points or principles. On this matter, see Rhonheimer, *Natur als Grundlage der Moral*, pp. 42-62, and Germain Grisez, *Contraception and the Natural Law* (Milwaukee: Bruce Publishing Co., 1964), chapter 3, and the literature cited there.

20. *Summa Theologiae*, 1-2, 94, 2: "Sicut autem ens est primum quod cadit in apprehensione simpliciter, ita bonum est primum quod cadit in apprehensione practicae rationis, quae ordinatur ad opus: omne enim agens agit propter finem, qui habet rationem boni. Et ideo



primum principium in ratione practica est quod fundatur supra rationem boni, quae est, *Bonum est quod omnia appetunt*. Hoc est ergo primum praeceptum legis, quod *bonum est faciendum et prosequendum, et malum vitandum*. Et super hoc fundantur omnia alia praecepta legis naturae: ut scilicet omnia illa facienda vel vitanda pertinent ad praecepta legis naturae, quae ratio practica naturaliter apprehendit esse bona humana.”

21. Ibid.: “Quia vero bonum habet rationem finis, malum autem rationem contrarii, inde est quod omnia illa ad quae homo habet naturalem inclinationem, ratio naturaliter apprehendit ut bona, et per consequens ut opere prosequenda, et contraria eorum ut mala et vitanda.”

22. See *ibid.*, 1, 18, 2.

23. Ibid., 1-2, 94, 2: “Inest enim primo inclinatio homini ad bonum secundum naturam in qua communicat cum omnibus substantiis; prout scilicet quaelibet substantia appetit conservationem sui esse secundum suam naturam. Et secundum hanc inclinationem pertinent ad legem naturalem ea per quae vita hominis conservatur, et contrarium impeditur. Secundo inest homini inclinatio ad aliqua magis specialia, secundum naturam in qua communicat cum ceteris animalibus. Et secundum hoc, dicuntur ea esse de lege naturali, *quae natura omnia animalia docuit*, ut est coniunctio maris et feminae, et educatio liberorum, et similia. Tertio modo inest homini inclinatio ad bonum secundum naturam rationis, quae est sibi propria; sicut homo habet naturalem inclinationem ad hoc quod veritatem cognoscat de Deo, et ad hoc quod in societate vivat. Et secundum hoc, ad legem naturalem pertinent ea quae ad huiusmodi inclinationem spectant; utpote, quod homo ignorantiam vitet, quod alios non offendant cum quibus debet conversari, et cetera huiusmodi quae ad hoc spectant.”

24. Ibid.

25. Ibid., 100, 1: “illa communia et prima praecepta.”

26. Ibid., 100, 8: “quorum non oportet aliquam editionem esse, nisi quod sunt scripta in ratione naturali quasi per se nota.” See also 100, 11.

27. Ibid., 95, 2: “nulli esse malum faciendum.”

28. Ibid., 94, 4, ad 1: “Unde cum dixisset Gratianus quod *ius naturale est quod in Lege et Evangelio continetur*, statim, exemplificando, subiunxit, *quo quisque iubetur alii facere quod sibi vult fieri*.”

29. Ibid., 100, 3, 1st objection: “Diliges Dominum Deum tuum, et Diliges proximum tuum.”

30. Ibid., 100, 3, ad 1: “illa duo praecepta [Diliges Dominum Deum tuum, et Diliges proximum tuum] sunt prima et communia praecepta legis naturae, quae sunt per se nota rationi humanae, vel per naturam vel per fidem. Et ideo omnia praecepta decalogi ad illa duo referuntur sicut conclusiones ad principia communia.” See also 100, 11.

31. Ibid., 100, 1: “quae statim per se ratio naturalis cuiuslibet hominis diiudicat esse facienda, vel non facienda.”

32. Ibid., 3 and 100, 11.

33. Ibid., 100, 1: “statim, cum modica consideratione.”

34. Ibid., 100, 11.

35. Ibid., 100, 1: “sunt absolute de lege naturali.”

36. Ibid., 100, 11: “Quaedam vero sunt magis determinata, quorum rationem statim quilibet, etiam popularis, potest de facili videre; et tamen quia in paucioribus circa huiusmodi contingit iudicium humanum perverti, huiusmodi editione indigent; et haec sunt praecepta decalogi.”

37. Ibid., 100, 1: “subtiliori consideratione rationis.”

38. Ibid., 100, 3 and 100, 11.

39. Ibid.

40. The principal texts bringing out this structure of natural law according to St. Thomas are *Summa Theologiae*, 1-2, 100, 1; 100, 3; and 100, 11. R. A. Armstrong, *Primary and Secondary Precepts in Thomistic Natural Law Teaching*, pp. 98-114, offers a very illuminating presentation of these texts with commentary.

41. On this, see Armstrong, *Primary and Secondary Precepts*. . . , p. 109.

42. *Summa Theologiae*, 1-2, 100, 3: “Inter praecepta ergo decalogi non computantur duo genera praeceptorum, illa scilicet, quae sunt prima et communia, quorum non oportet aliquam editionem esse, nisi quod sunt scripta in rationi naturali quasi per se nota, et iterum illa, quae per diligentem inquisitionem sapientum inveniuntur rationi convenire; haec enim proveniunt a Deo ad populum mediante disciplina sapientum.”

43. Ibid.: “Utraque tamen horum praeceptorum continentur in praeceptis decalogi, sed diversimode. Nam illa quae sunt prima et communia, continentur in eis sicut principia in conclusionibus proximis; illa vero quae sapientes cognoscuntur continentur in eis e converso, sicut conclusiones in principiis.”

44. Ibid., 94, 6: “ad legem naturalem pertinent primo quidem quaedam praecepta communissima, quae sunt omnibus nota; quaedam

autem secundaria praecepta magis propria, quae sunt quasi conclusiones propinquae principiis. Quantum ergo ad illa praecepta communia, lex naturalis nullo modo potest a cordibus hominum deleri in universali. Deletur tamen in particulari operabili, secundum quod ratio impeditur applicare commune praeceptum ad particulare operabile, propter concupiscentiam vel aliquam aliam passionem.”

45. Ibid.: “Quantum vero ad alia praecepta secundaria, potest lex naturalis deleri de cordibus hominum, vel propter malas persuasiones, eo modo quo etiam in speculativis errores contingunt circa conclusiones necessarias, vel etiam propter pravas consuetudines et habitus corruptos.”

46. Ibid., 100, 8. On this matter, see Patrick Lee, “The Permanence of the Ten Commandments: St. Thomas and His Modern Commentators,” *Theological Studies* 42 (1981) 422-433.

47. Charles E. Curran, “Natural Law and Contemporary Moral Theology,” in his *Contemporary Problems in Moral Theology* (Notre Dame, IN: Fides, 1970), p. 106. See his “Absolute Norms in Moral Theology,” in his *A New Look at Christian Morality* (Notre Dame, IN: Fides, 1968), pp. 75-89.

48. Timothy E. O’Connell, *Principles for a Catholic Morality* (New York: Seabury, 1978), p. 138. See Richard M. Gula, *Reason Informed by Faith: Foundations of Catholic Morality* (New York: Paulist Press, 1989), pp. 223-228.

49. On St. Thomas’s use of Ulpian, see my “The Meaning and Nature of the Natural Law in Thomas Aquinas,” *American Journal of Jurisprudence* 22 (1977) 168-189, especially 175-185.

50. *In IV Sent.*, d. 33, q. 1, a. 1 (reprinted as q. 65, a. 1 of the *Supplementum* of the *Pars Tertia* of the *Summa Theologiae*): “Lex ergo naturalis nihil est aliud quam conceptio homini naturaliter indita, qua dirigitur ad convenienter agendum in actionibus propriis, sive competunt ei ex natura generis, ut generare, comedere, et huiusmodi, sive ex natura speciei, ut ratiocinari, et similia.”

51. Ibid.: “Pluralitas ergo uxorum neque totaliter tollit neque qualiter impedit primum finem . . . sed secundum finem etsi non totaliter tollat, tamen multum impedit, eo quod non facile potest esse pax in familia ubi uni viro plures uxores iunguntur. . . . Tertium autem finem totaliter tollit, eo quod sicut Christus est unus, ita Ecclesia una; et ideo patet ex dictis quod pluralitas uxorum quodammodo est contra legem naturae, et quodammodo non.”

52. The expression “strictissimo modo accipiendi ius naturale” is

not to be understood as “taking natural law in its *most precise (or formal)* sense” but rather as “taking natural law in its *most restricted and limited* sense.” Whenever Thomas wishes to express the *formal, essential* meaning of something, he uses the terms “*proprie*” or “*essentialiter*,” as we have seen repeatedly in his insistence that natural law, as law, is found essentially and properly only in the rational creature. In *A Lexicon of St. Thomas Aquinas based on the Summa Theologiae and selected passages of his other works*, Roy J. Deferrari et al. (Washington, DC: The Catholic University of America Press, 1949) 5.1055, show us that the participial adjective *strictus* (with its comparative and superlative) is frequently used in the sense of what is “most rigid in interpretation,” and this very text is used to illustrate this meaning.

53. In *IV Sent.*, d. 33, q. 1, a. 1, ad 4: “*ius naturale multipliciter accipitur. Primo enim ius aliquod dicitur naturale ex principio, quia a natura est inditum; et sic definit Tullius . . . dicens, ‘ius naturae est quod non opinio genuit sed quaedam innata vis inseruit.’ Et quia etiam in rebus naturalibus dicuntur aliqui motus naturales, non quia sunt ex principio intrinseco, sed quia sunt a principio superiori movente . . . ideo ea quae sunt de iure divino, dicuntur esse de iure naturali, cum sint ex impressione et infusione superioris principii, scilicet Dei, et sic accipitur a Isidoro . . . qui dicit quod ‘ius naturale est quod in lege et in Evangelio continetur.’ Tertio dicitur ius naturale non solum a principio, sed a natura, quia de naturalibus est. Et quia natura contra rationem dividitur, a qua homo est homo, ideo strictissimo modo accipiendi ius naturale, illa quae ad homines tantum pertinent, etsi sint de dictamine rationis naturalis, non dicuntur esse de iure naturali; sed illa tantum quae naturalis ratio dictat de his quae sunt homini aliisque communia; et sic datur dicta definitio, scilicet, ‘ius naturale est quod natura omnia animalia docuit.’ ”*

54. In the *Summa Theologiae* Thomas refers (at least by implication) to Ulpian’s definition in 1-2, 94, 2; 95, 4, ad 1.

55. Here the pertinent text is *In V Ethicorum*, lec. 12, n. 1019.

56. *Summa Theologiae*, 1-2, 90, 1; 90, 1, ad 1 and ad 2; 91, 2.

57. *Ibid.*, 1-2, 90, 1, ad 1; 91, 2, ad 3.

58. For further discussion of St. Thomas’s use of Ulpian, see my work referred to in note 49 and Michael Bertram Crowe, “St. Thomas and Ulpian’s Natural Law,” *St. Thomas Aquinas 1274-1974 Commemorative Studies* (Toronto: Pontifical Institute of Mediaeval Studies, 1974), pp. 261-282.

59. See, for example, *Summa Contra Gentes*, 3.114: “lex nihil aliud sit quam quaedam ratio et regula operandi”; *ibid.*: “lex nihil aliud sit quam ratio operis.”

60. *Ibid.*, 115: “Lex . . . est quaedam ratio divinae providentiae gubernantis.”

61. *Ibid.*, 113: “Creatura rationalis sic providentiae divinae subiacet quod non solum ea gubernatur, sed etiam rationem providentiae utcumque cognoscere potest: unde sibi competit etiam aliis providentiam et gubernationem exhibere. . . . Per hoc autem quod aliquis facultatem providendi habet, potest etiam suos actus dirigere et gubernare. Participat igitur rationalis creatura divinam providentiam non solum secundum gubernari, sed etiam secundum gubernare. Gubemat enim se in suis actibus propriis, et etiam aliis.”

62. *Ibid.*, 111, 113, and 114.

63. *Ibid.*, 114.

64. *Ibid.*, 116.

65. *Ibid.*, 120: “haec est principalis legis divinae intentio, ut homo Deo subdatur, et ei singularem reverentiam exhibeat non solum corde, sed etiam ore et opere corporali.”

66. *Ibid.*, 117.

67. *Ibid.*, 128.

68. *Ibid.*: “Secundum legem divinam homo inducitur ut ordinem rationis servet in omnibus quae in eius usum venire possunt.”

69. *Ibid.*, 120.

70. *Ibid.*, 128.

71. *Ibid.*, 129.

72. *Ibid.*

73. *Ibid.*, 122.

74. The texts referred to are: *Summa Theologiae*, 1-2, 93, 2; 91, 1; and 93, 1. I should note here that for some reason neither the Abbott nor the Flannery translations of the documents of Vatican Council II include this important note. Yet it is found in the official Latin text of *Dignitatis Humanae*.

75. An excellent study of the teaching of Vatican Council II on natural law is: John M. Finnis, “The Natural Law, Objective Morality, and Vatican Council II,” in *Principles of Catholic Moral Life*, ed. William E. May (Chicago: Franciscan Herald Press, 1981), pp. 113-150.

76. The Church teaches that human beings are able, by the exercise of their own intelligence, to come to the knowledge of some truths about God and human existence. It thus teaches that men can come to

know the truth that God exists by the use of reason unaided by revelation. Similarly, men can come to know the moral truths set forth in the Decalogue by the use of their reason. We have seen that this was indeed the teaching of St. Thomas in our review of his thought on natural law. Yet St. Thomas himself, as we also saw in our review of his thought, taught in common with all Catholic theologians that God had graciously revealed these moral norms to us insofar as they are so necessary for our salvation and insofar as knowledge of them is made difficult by reason of sin (cf. *Summa Theologiae*, 1, 1, 1; 1-2, 98, 5). Vatican Council I (1870-72) clearly taught that God chooses to reveal himself and his moral law to us partially so that “even in the present condition of the human race, those religious truths which are by their nature accessible to human reason can readily be known by all men with solid certitude and no trace of error” (Vatican Council I, DS [Denzinger-Schönmetzer] 3005/1786; cf. Vatican Council II, *Gaudium et Spes*, n. 17).

77. Frequently this understanding of natural law is attributed only to Germain Grisez and John Finnis. While they have surely been its principal exponents, the contributions of Joseph Boyle to the development of this understanding must, in justice, be taken into account. He has collaborated with Grisez in several works, including the most comprehensive study of Grisez on moral principles, and he has coauthored major books and articles with Grisez and Finnis. Here I will list first major sources authored individually by Grisez, Finnis, and Boyle, and then works in which they have jointly collaborated. I will include only material relevant to the issue of natural law and not all the writings of these authors.

(1) Works by Grisez alone: *Contraception and the Natural Law* (Milwaukee: Bruce Publishing Co., 1964); *Abortion: The Myths, the Realities, and the Arguments* (New York: Corpus, 1970); *The Way of the Lord Jesus*, Vol. 1, *Christian Moral Principles* (Chicago: Franciscan Herald Press, 1983) [although Grisez is the exclusive author of this work, he notes in the preface that Joseph Boyle devoted over a half a year of full-time work in helping him with this centrally important work and that he could even be regarded as a coauthor; Finnis also provided help in preparing it]; “The First Principle of Practical Reasoning: A Commentary on the *Summa Theologiae*, I-II, Q. 94, A. 2,” *Natural Law Forum* 10 (1965) 168-196; “Toward a Consistent Natural Law Ethics of Killing,” *American Journal of Jurisprudence* 15 (1970) 64-96; “Against Consequentialism,” *American Journal of*

*Jurisprudence* 23 (1978) 21-72; "Suicide and Euthanasia," in *Death, Dying, and Euthanasia*, ed. Dennis Horan and David Mall (Frederick, MD: University Publications of America, 1980), pp. 742-817; "Moral Absolutes: A Critique of the View of Josef Fuchs, S.J.," *Anthropos* (now *Anthropotes*): *Rivista di Studi sulla Persona e la Famiglia* 1 (1985) 155-201.

In collaboration with Russell Shaw, Grisez also wrote a work of relevance to his natural law theory, *Beyond the New Morality* (Notre Dame, IN: University of Notre Dame Press, 1st ed., 1974; 2nd ed., 1980; 3rd ed., 1988).

(2) Works by John Finnis alone: *Natural Law and Natural Rights* (Oxford and New York: Oxford University Press, 1980); *Fundamentals of Ethics* (Washington, DC: Georgetown University Press, 1985); *Moral Absolutes: Tradition, Revision, and the Truth* (Washington, DC: The Catholic University of America Press, 1991); "Natural Law and Unnatural Acts," *Heythrop Journal* 11 (1970) 366-372; "The Rights and Wrongs of Abortion: A Reply to Judith Thomson," *Philosophy and Public Affairs* 2 (1972) 119-147; ". . . Obiectivis criteriis ex personae eiusdemque actuum desumptis. . .," in *Ética y Teología ante la crisis contemporánea: Actas del I Simposio Internacional de Teología: Facultad de Teología de la Universidad de Navarra* (Pamplona: EUNSA, 1980), pp. 633-642; "The Natural Law, Objective Morality, and Vatican Council II," in *Principles of Catholic Moral Life*, ed. William E. May (Chicago: Franciscan Herald Press, 1981), pp. 113-150; "The Act of the Person," *Persona, Verità e Morale* (Rome: Città Nuova Editrice, 1987), pp. 159-176; "Natural Inclinations and Natural Rights: Deriving 'Ought' from 'Is' According to Aquinas," in *Lex et Libertas: Freedom and Natural Law According to St. Thomas* (Studi Tomistici, 30), ed. L. J. Elders and K. Hedwig (Vatican City: Libreria Editrice Vaticana, 1987), pp. 43-55; "The Consistent Ethic of Life: A Philosophical Analysis," in Joseph Cardinal Bernardin et al., *Consistent Ethic of Life* (Shawnee Mission, KS: Sheed and Ward, Inc., 1988), pp. 140-181; "Absolute Moral Norms: Their Ground, Force, and Permanence," *Anthropotes: Rivista di Studi sulla Persona e la Famiglia* 4 (1988) 287-303.

(3) Works by Joseph Boyle alone: "Aquinas and Prescriptive Ethics," in *Proceedings of the American Catholic Philosophical Association* 49 (1975) 82-95; "'Praeter Intentionem' in Aquinas," *Thomist* 42 (1978) 649-665; "Toward Understanding the Principle of Double Effect," *Ethics* 90 (1980) 527-538; "Moral Reasoning and

Moral Judgment," in *Proceedings of the American Catholic Philosophical Association* 58 (1984) 37-49; "Aquinas, Kant, and Donagan on Moral Principles," *The New Scholasticism* 58 (1984) 391-408.

(4) Works jointly authored by Grisez and Boyle: *Life and Death with Liberty and Justice: A Contribution to the Euthanasia Debate* (Notre Dame, IN: University of Notre Dame Press, 1978).

(5) Works jointly authored by Grisez, Finnis, and Boyle: *Nuclear Deterrence, Morality, and Reality* (Oxford and New York: Oxford University Press, 1987); "Practical Principles, Moral Truth, and Ultimate Ends," *American Journal of Jurisprudence* 32 (1987) 99-151.

In a later note I will refer to more recent writings of these authors in which they respond to some of the criticism that has been raised about their work.

78. On reason as practical, see in particular Grisez, "The First Principle of Practical Reason: A Commentary on *Summa Theologiae*, I-II, Q. 94, A. 2," esp. 170-175; Finnis, *Natural Law and Natural Rights*, pp. 33-36; Finnis, *Fundamentals of Ethics*, pp. 1-25; Grisez, Boyle, and Finnis, "Practical Principles, Moral Truth, and Ultimate Ends," esp. 115-117.

79. See works cited in note 78. Also see Grisez, *Christian Moral Principles*, pp. 178-180.

80. *Christian Moral Principles*, p. 179.

81. *Ibid.*, p. 180.

82. See above, p. 42.

83. In *Contraception and the Natural Law*, pp. 63-64, Grisez listed life itself, mating and raising children, experiences worthwhile in themselves, play, knowledge of the truth, fellowship with others, harmony with unknown higher powers, and the use of intelligence in guiding actions (practical reasonableness). In *Abortion: The Myths, the Realities, and the Arguments*, pp. 312-313, he listed life itself, activities engaged in for their own sake, experiences sought for their own sake, knowledge pursued for its own sake, interior integrity, genuineness, justice and friendship, and worship and holiness. In *Natural Law and Natural Rights*, pp. 83-91, Finnis listed life, knowledge, play, aesthetic experience, sociability or friendship, practical reasonableness, and religion. The more recent articulation of the basic human goods is provided in Grisez's *Christian Moral Principles*, pp. 121-124, and the essay jointly authored by Grisez, Finnis, and Boyle, "Practical Prin-



ciples, Moral Truth, and Ultimate Ends,” 107-108. The goods identified as basic in these last two works are substantially the same as those listed in previous writings, but our authors have attempted to bring their terminology into harmony and to make as clear as possible the sorts of goods that are fundamental. They have also sought to describe the “reflexive” goods, i.e., those involving harmony, without importing moral value into them. In some of their earlier writings such moral value was imported, e.g., in describing the good of harmony within the person as “practical reasonableness.”

84. Internal citations in the text are from “Practical Principles, Moral Truth, and Ultimate Ends,” 108; a very similar formulation of the four reflexive goods having harmony as their theme is given in *Christian Moral Principles*, p. 123.

85. In their most recent joint article, “Practical Principles, Moral Truth, and Ultimate Ends,” Grisez, Finnis, and Boyle draw explicit attention to the fact that the reflexive goods, as such, are not moral goods, i.e., that it is a mistake to import moral value into them, insofar as one can realize them in immoral ways. They observe, as I pointed out in note 83, that in some of their previous writings they had not, at times, avoided importing moral value into them. Thus they had called the harmony between judgments and choices “practical reasonableness”; the harmony between choices and performances they called “authenticity”; and the harmony between humankind and God they referred to as “holiness.” Cf. “Practical Principles, Moral Truth, and Ultimate Ends,” 139-140.

86. On this, see *ibid.*, 108.

87. *Ibid.*, 107; *Christian Moral Principles*, p. 124.

88. E.g., Grisez, *Contraception and the Natural Law*, p. 54, and p. 74, notes 19 and 20, refers to the work of psychologist Ernest R. Hilgard and the anthropologists Robert H. Lowie and Alexander MacBeath regarding tendencies or inclinations universally found in human beings. Likewise Finnis, in *Natural Law and Natural Rights*, pp. 83, 97-98, refers to the work of a number of anthropologists and psychologists on the same subject.

89. For this, see Grisez (with Shaw), *Beyond the New Morality* (3rd ed., 1988), pp. 77-79; Finnis, *Natural Law and Natural Rights*, pp. 38-39.

90. “Practical Principles, Moral Truth, and Ultimate Ends,” 110.

91. *Ibid.*

92. Thus St. Thomas says that “*nullus enim intendens ad malum*

*operatur*" ("no one intentionally does evil"), *Summa Theologiae*, 1-2, 72, 1. Sin is not irrational, although it is unreasonable.

93. "Practical Principles, Moral Truth, and Ultimate Ends," 121. Immoral acts, however, do not, as Grisez, Finnis, and Boyle explicitly note at this point, respond as fully to the first practical principle as do morally good acts.

94. See above, p. 43, and accompanying notes.

95. For St. Thomas, see *Summa Theologiae*, 1-2, 100, 3, 1 and ad 1. Note, however, that here Aquinas explicitly says that the love commands are "*per se nota rationi humanae, vel per naturam vel per fidem*" ("*per se* known to human reason, either through nature or through 'faith'"). On this, see *Christian Moral Principles*, p. 183; *Nuclear Deterrence, Morality, and Reality*, p. 284.

96. *Christian Moral Principles*, p. 184, citing *Gaudium et Spes*, n. 35.

97. *Nuclear Deterrence, Morality, and Reality*, p. 284.

98. *Christian Moral Principles*, p. 184.

99. "Practical Principles, Moral Truth, and Ultimate Ends," 128.

100. *Ibid.*, 121.

101. In his earlier writings Grisez did not articulate this basic moral principle clearly. Rather, he said that all the principles of practical reasoning taken together constitute the norm; e.g., in *Contraception and the Natural Law*, p. 76. In *Abortion*, p. 315, he spoke of choosing with an "attitude of openness to goods not chosen," and of respecting "equally all of the basic goods." Similarly, Finnis, in *Natural Law and Natural Rights*, pp. 23, 101, spoke of bringing all the principles of practical reasoning to bear upon definite ranges of action or particular actions. But in later writings Grisez, Finnis, and Boyle have clearly articulated this moral norm. The formulation given in the text is found in *Christian Moral Principles*, p. 184; it is also found in *Nuclear Deterrence, Morality, and Reality*, p. 283. On this whole point see what Grisez, Finnis, and Boyle have to say in "Practical Principles, Moral Truth, and Ultimate Ends," 128.

102. On this, see, for instance, Grisez and Boyle, *Life and Death with Liberty and Justice*, pp. 365-366.

103. "Practical Principles, Moral Truth, and Ultimate Ends," 132.

104. *Nuclear Deterrence, Morality, and Reality*, p. 283.

105. "Practical Principles, Moral Truth, and Ultimate Ends," 132.

106. *Christian Moral Principles*, p. 186.

107. "Practical Principles, Moral Truth, and Ultimate Ends," 127-132.

108. St. Thomas, *Summa Theologiae*, 1-2, 58, 5; cf. 58, 3, ad 2.

109. In *Natural Law and Natural Rights*, pp. 100-127, Finnis called these the "requirements of practical reasonableness." "Modes of Responsibility" is now the proper way to refer to these. See *Christian Moral Principles*, pp. 205-228.

110. *Christian Moral Principles*, p. 189.

111. On this, see *Christian Moral Principles*, pp. 215-221.

112. See *ibid.*, p. 191.

113. *Ibid.*, p. 225: "These are the eight modes of responsibility. (1) One should not be deterred by felt inertia from acting for intelligible goods. (2) One should not be pressed by enthusiasm or impatience to act individualistically for intelligible goods. (3) One should not choose to satisfy an emotional desire except as part of one's pursuit and/or attainment of an intelligible good other than the satisfaction of the desire itself. (4) One should not choose to act out of an emotional aversion except as part of one's avoidance of some intelligible evil other than the inner tension experienced in enduring that aversion. (5) One should not, in response to different feelings toward different persons, willingly proceed with a preference for anyone unless the preference is required by intelligible goods themselves [this is Grisez's way of formulating the principle of fairness or the Golden Rule]. (6) One should not choose on the basis of emotions which bear upon empirical aspects of intelligible goods (or bads) in a way which interferes with a more perfect sharing in the good or avoidance of the bad. (7) One should not be moved by hostility to freely accept or choose the destruction, damaging, or impeding of any intelligible human good. (8) One should not be moved by a stronger desire for one instance of an intelligible good to act for it by choosing to destroy, damage, or impede some other instance of an intelligible good."

114. *Christian Moral Principles*, p. 226.

115. See above, pp. 44-45, and accompanying notes.

116. *Christian Moral Principles*, pp. 251-274.

117. *Ibid.*, pp. 256-257.

118. *Ibid.*, pp. 257-258.

119. "Practical Principles, Moral Truth, and Ultimate Ends," 137; emphasis added.

120. *Ibid.*, 137, 138-139.

121. *Ibid.*, 107.

122. *Ibid.*, 137.

123. *Ibid.*, 141.

124. Ibid., 142.

125. Ibid.

126. Ibid., 144.

127. Ibid., 143-145.

128. Ibid., 145.

129. Ibid., 146.

130. *Natural Law and Natural Rights*, p. 23.

131. On this, see the following: Ralph McInerny, "The Principles of Natural Law," *American Journal of Jurisprudence* 25 (1980) 1-15 (substantially reprinted as the third chapter of his *Ethica Thomistica* [Washington, DC: The Catholic University of America Press, 1982]); Henry Veatch, "Review of *Natural Law and Natural Rights* by John Finnis," *American Journal of Jurisprudence* 26 (1981) 247-259; Vernon Bourke, "Review of *Natural Law and Natural Rights* by John Finnis," *American Journal of Jurisprudence* 26 (1981) 247-259; Russell Hittinger, *A Critique of the New Natural Law Theory* (Notre Dame, IN: University of Notre Dame Press, 1987); Hittinger, "The Recovery of Natural Law and the 'Common Morality,'" *This World*, No. 18 (Summer, 1987) 62-74.

132. On this, see the following: Grisez, "A Critique of Russell Hittinger's Book, *A Critique of the New Natural Law Theory*," *New Scholasticism* 62 (1988) 62-74; Grisez and Pinnis, "The Basic Principles of Natural Law: A Reply to Ralph McInerny," *American Journal of Jurisprudence* 26 (1981) 21-31; Finnis, "Natural Law and the Is-Ought Question: An Invitation to Professor Veatch," *Catholic Lawyer* 26 (1980-81) 265-277; Finnis, "Observations de M.J.M. Finnis," *Archives de Philosophie du Droit* (1981) 425-427; Finnis, "Practical Reasoning, Human Goods, and the End of Man," *Proceedings of the American Catholic Philosophical Association* 58 (1984) 23-36, also published in *New Blackfriars* 66 (1985) 438-449.

It is pertinent to observe here that McInerny took note of the "Reply to Ralph McInerny" referred to above in his book, *Ethica Thomistica: The Moral Philosophy of Thomas Aquinas*. As already noted (note 131, above), Chapter 3 of that work includes substantively the material from his article, "The Principles of Natural Law." In a "Bibliographic Note" appended to his book, McInerny refers to the Grisez-Finnis "Reply." He then says: "Alas, this book was already in proof before I became aware of their response and thus I am unable to give it the attention it deserves here. The two authors now seem reluctant to be assessed in terms of fidelity to St. Thomas. That of course

was the angle from which I read them" (p. 128). McInerny here clearly leaves his readers with the impression that Grisez and Finnis concede that McInerny's interpretation of St. Thomas's understanding of natural law is correct and that they simply do not wish to be judged on Thomistic grounds. This, unfortunately, is a very erroneous impression, for in the "Reply" Finnis and Grisez take great pains to show that on a key matter, namely, the underivability of the first principles of practical reasoning, they, and *not* McInerny, are being faithful to St. Thomas. In short, McInerny simply misleads his readers. In addition, McInerny has nowhere sought to answer the arguments given by Grisez and Finnis — he has not, in other words, given their reply "the attention it deserves." In my opinion, McInerny, in order to be fair, ought to have omitted the final two sentences of his observations as cited above insofar as they seriously misrepresent the nature of the "Reply" given to his article by Grisez and Finnis.

133. Robert George, "Recent Criticism of Natural Law Theory," *The University of Chicago Law Review* 55 (1988) 1371-1429; William Marshner, "A Tale of Two Beatitudes," *Faith & Reason* 16.2 (1990) 177-199.

134. Aurelio Ansaldo, *El Primer Principio del Obrar Moral y Las Normas Morales Específicas en el Pensamiento de G. Grisez y J. Finnis* (Rome: Pontificia Universita Lateranense, 1990).

135. Ansaldo raises four important issues about the work of Grisez, Finnis (and Boyle). He believes, first of all, that they need to develop more systematically the metaphysical/anthropological foundations of ethics. He notes that they in no way deny these foundations and in fact defend them, but he thinks that they need to be more explicit, in particular, in showing the *created* nature both of human persons and of human goods. They need to, he thinks, show that the ultimate reason for the dignity of human persons and for the inviolability of the goods perfective of them is the fact that human persons are the only created material entities whom God has made for themselves and whom he has called to life in union with himself. Second, he thinks that they should develop more systematically the relationship between fulfillment in the goods or ends of human existence and personal union with God. Third, he thinks that in their articulation of the first principle of morality they need to include reference to love of God. Fourth, he believes that their way of articulating the modes of responsibility needs to be more closely linked to the traditional Christian understanding of virtue. His critique in no way challenges the basic structure

of their thought but is meant to suggest ways in which it can be strengthened and made more appealing. I think that Grisez, Finnis, and Boyle have, to some measure at any rate, sought to take into account the first and second of the issues raised by Ansaldo in their article entitled "Practical Principles, Moral Truth, and Ultimate Ends." Ansaldo includes this essay in his bibliography, but it appeared (it was actually published only in 1988) too late for him to take it fully into account in his study. Nonetheless, it seems to me that further attention needs to be given to these issues. The third issue raised by Ansaldo can be answered, I think, by saying that love of neighbor (at the heart of the first principle of morality as expressed by our authors) implicitly includes love of God — as St. Thomas noted and as Ansaldo himself, in his excellent chapter on St. Thomas, likewise notes. The fourth point raised by Ansaldo is one that doubtlessly should be given further consideration. For more detailed comment on Ansaldo's important study, see my review of it in *Thomist* 55 (April, 1991).

CHAPTER  
**THREE**

# Moral Absolutes

## *Introduction*

In the previous chapter we saw that the natural law is an ordered set of true propositions about what we are to do if we are to be the beings God wills us to be. The first set of natural law propositions includes the *principles of practical reasoning*. The first principle of practical reasoning is that *good is to be done and pursued, and its opposite, evil, is to be avoided*. The other *principles of practical reasoning* are specifications of this principle, i.e., principles identifying basic aspects of human flourishing as goods to be done and pursued, i.e., goods such as life itself (including bodily health and integrity and the handing on of human life), knowledge of the truth, appreciation of beauty, play, harmonious relationships within the self (the goods of integrity and practical reasonableness or peace of conscience), harmonious relationships with other human persons (the goods of friendship, justice, and peace), and harmonious relationships with God (the good of religion). The second set of natural law propositions embraces the *first principles of morality or moral choice*. The first principle of moral choice, expressed religiously in the twofold command of love of God and of neighbor, can be articulated more philosophically and theologically as follows: “in pursuing the good and avoiding what is opposed to it, one ought to choose and otherwise will those and only those possibilities whose willing is compatible with integral human fulfillment,” i.e., with a heart open to everything that is really good and to the persons in whom whatever is really good is meant to flourish. Just as the first principle of practical reasoning is specified by identifying the basic goods perfective of human persons, so too this first principle of moral choice is specified by identifying ways in which a choice would be incompatible with integral human fulfillment. The specifications of the first principle of moral choice, which can be called “modes of responsibility,” exclude choices motivated by nonrational desires or in which one ignores, slights, neglects, damages, destroys, or impedes basic

human goods or acts in ways that arbitrarily and unfairly limit the participation of any person in these goods.

The third set of natural law propositions is made up of more specific moral norms, namely, those that identify specific kinds of human action that ought either to be done (e.g., to keep one's promises, to honor one's parents) or not done (e.g., to break one's promises, deliberately to kill innocent people). St. Thomas, it will be recalled, taught that some of these specific norms, for instance, those that we find in the Decalogue, are absolute or exceptionless. Grisez and Finnis likewise, as we have seen, hold that some specific norms are absolute (e.g., that proscribing the deliberate killing of the innocent) whereas others are not.

This chapter will investigate in depth the question of moral absolutes. It is therefore most important to understand clearly what this expression means. The expression "moral absolutes" is used here to refer to moral norms identifying certain types of action, which are possible objects of human choice, as *always* morally bad, and specifying these types of action without employing in their description any morally evaluative terms. Deliberately killing babies, having sex with someone other than one's spouse, contracepting, and making babies by artificial insemination are examples of types of action specified by norms of this kind. Such norms are called "absolute" because they unconditionally and definitively exclude specifiable kinds of human action as morally justifiable objects of choice. They are said to be true always and for always, under every circumstance (*semper et pro [or ad] semper*). The types of actions specified by such norms are called "intrinsically evil acts."<sup>1</sup> Although exceptions to these norms are logically possible (one can, of course, deliberately kill babies or have sex with persons other than one's spouse), they are morally excluded. Thus these norms are also called "exceptionless." The magisterium of the Church proposes some norms as absolutes, including norms unconditionally proscribing the deliberate killing of the innocent, adultery, remarriage after divorce, fornication, contraception, the generating of human life in the laboratory, etc., and the magisterium proposes these norms as true. Today, however, many people, including some very prominent and influential Catholic moral theologians, deny that there are absolute norms of this kind.

In this chapter I will (1) summarize the major reasons why some contemporary Catholic theologians (henceforth called "revisionists" or "revisionist theologians") deny that there are moral absolutes in the



sense understood here, (2) criticize the revisionist position, and (3) show why the truth of moral absolutes is required by human dignity and by the basic principles of moral choice.

### ***1. The Revisionist Rejection of Moral Absolutes***

The roots of the rejection of moral absolutes can be found in the reasoning advanced by the authors of the celebrated “Majority Report” of the Papal Commission for the Study of Population, the Family, and Natality. This commission had been established by Pope John XXIII and, after his death, had been increased in size by Pope Paul VI. Its original purpose was to advise the Holy See about what to say in international organizations about the population problem and proposed solutions to it. But the expanded body undertook to study the whole issue of contraception. The documents of this commission — which were intended, in accord with the mandate given to the commission, solely for the use of the Holy Father, who had the responsibility to assess their worth — were leaked to the public in 1967, plainly with the intent of putting pressure on Pope Paul VI to change the teaching of the Church on contraception.

In the papers comprising what came to be called the “Majority Report” of the commission, the authors presented arguments to justify the practice of contraception by married couples. Nevertheless, they insisted, in company with all Catholic moral theologians of the time, that there are moral absolutes, for they vehemently denied the charge, made by theologians on the commission who held that the norm against contraception was unchangeable, that the reasoning they employed to justify contraception by married couples could also be used to justify such acts as anal and oral sex.<sup>2</sup> The authors of the “Majority Report” expressed outrage over this charge, and by doing so showed that they did indeed accept as true some moral absolutes. Despite their protests, however, it soon became clear that the reasoning they advanced to support their view that married persons could, under given conditions, rightly practice contraception could also be used to justify exceptions to other norms that had been regarded up to that time as absolute by Catholic moral theologians. This point has been conceded by revisionist theologians such as Charles E. Curran.<sup>3</sup>

But what was the reasoning used by the authors of the “Majority Report” to justify contraception? Two passages found in the documents comprising the “Majority Report” are, in my judgment, ab-

solutely crucial. I shall first cite these passages and then offer brief comments on them. The first reads as follows: "To take his or another's life is a sin not because life is under the exclusive dominion of God, but because it is contrary to right reason *unless there is question of a good of a higher order*. It is licit to sacrifice a life for the good of the community. It is licit to take a life in capital punishment for the sake of the community."<sup>4</sup>

According to the principle set forth in this passage, it is morally permissible to destroy human life (or other human goods), if doing so is necessary for the sake of a greater good. I call this the "Caiaphas" principle. Revisionist theologians today refer to it as the "preference principle" or the "principle of proportionate good," and we shall examine the nature and significance of this principle more fully below.

A second crucially important passage from the documents of the "Majority Report" occurs in a section where the authors claim that married couples may rightly contracept individual marital acts provided that these contracepted marital acts are ordered to the expression of marital love, a love that culminates in fertility responsibly accepted. This passage states: "When man intervenes in the procreative purpose of individual acts by contracepting, he does this with the intention of regulating and not excluding fertility. Then he unites the material finality toward fecundity which exists in intercourse with the formal finality of the person and renders the entire process human. . . . Conjugal acts which by intention are infertile,<sup>5</sup> or which are rendered infertile [by the use of artificial contraceptives], are ordered to the expression of the union of love; that love, moreover, reaches its culmination in fertility responsibly accepted. For that reason other acts of union are in a sense incomplete and receive their full moral quality with ordination toward the fertile act. . . . Infertile conjugal acts constitute a totality with fertile acts and have a single moral specification [namely, the fostering of love responsibly toward generous fecundity]."<sup>6</sup>

This passage is important because it presents an understanding of the "totality" of human acts that is, as we shall see, central to the denial of moral absolutes. The argument holds that there is a "material privation" (or what will later be called an "ontic," "pre-moral," or "nonmoral" evil) in contraceptive activity insofar as it deprives a conjugal act of its procreative potential. However, the contraceptive intervention is only a partial aspect of a whole series of contracepted marital acts, and this entire ensemble "receives its moral specification

from the other finality, which is good in itself [namely, the marital union] and from the fertility of the whole conjugal life.”<sup>7</sup> According to this line of reasoning, married couples who rightly use contraception are not choosing to exclude children selfishly from their marriage, or expressing what the authors elsewhere call a “contraceptive mentality.”<sup>8</sup> Rather, *what* they are doing — the moral “object” of their act — is “the fostering of love responsibly toward a generous fecundity.” And this is obviously something good, not bad.

This line of argumentation is very significant for the question of moral absolutes because it foreshadows the revisionist theologians’ understanding of human action as a whole that receives its moral specification from the end for whose sake it is done. Revisionists, as will be seen, claim that the specific moral absolutes defended in the Catholic tradition and affirmed by the magisterium isolate partial aspects of human acts and, on the basis of such isolated aspects, render decisive moral judgments about them. Their claim is that reason, objectivity, and truth require that an action be evaluated as right or wrong only as a *totality* that includes all the circumstances and motivations, considered in relation to *all* the “pre-moral” (but morally relevant) goods and bads involved in that totality, for the purpose of identifying the behavior that will further human self-realization and self-development<sup>9</sup> or at least will not contradict or negate its own good purpose.<sup>10</sup>

I have presented and commented briefly on these critically important passages from the documents of the “Majority Report” because, as noted already, they are the roots from which the denial of moral absolutes by revisionist theologians developed.

### A. Clarifying the Terminology

Before proceeding to a presentation of the principal arguments that revisionist theologians developed from these roots, a brief discussion of the terminology employed by these theologians will be helpful.

First of all, revisionist theologians — among them Franz Böckle, Charles E. Curran, Josef Fuchs, Bernard Häring, Louis Janssens, Richard McCormick, Timothy E. O’Connell, Richard Gula, Franz Scholz, and Bruno Schüller — while denying the existence of moral absolutes in the sense previously described, acknowledge that there are other kinds of moral absolutes. They admit, first of all, that there are absolutes in the sense of “transcendent principles” that direct us to those elements of our existence whereby we transcend or surpass the

rest of material creation. Thus they acknowledge the absoluteness of such principles as "One must always act in conformity with love of God and neighbor" and "One must always act in accordance with right reason."<sup>11</sup> Similarly, they regard as absolute the norms they call "formal." These norms articulate what our inner dispositions and attitudes ought to be. It is thus always true that we should act justly, bravely, chastely, and so on.<sup>12</sup> Such formal norms express the qualities that ought to characterize the morally good person. They are *not* concerned with specific human sets and choices but rather with the moral *being* of the agent.<sup>13</sup>

In a way they are, as Josef Fuchs has said, "exhortations rather than norms in the strict sense,"<sup>14</sup> and, as Louis Janssens has noted, they "constitute the absolute element in morals."<sup>15</sup> Finally, these theologians admit that norms using morally evaluative language to refer to actions that human persons ought never freely choose to do are absolute. Thus, we ought never to *murder*, because to murder is by definition to kill a person *unjustly*. Likewise, we ought never to have sex with the *wrong* person, because such sex is also wrong by definition. Yet norms like this are tautological and do not help us know which specific kinds of killing are unjust or what specific kind of sex is sex with the wrong person, etc. As Fuchs observes, these "absolute" norms are "parenetic," not instructive, and simply serve to remind us of what we already know and exhort us to avoid morally wrong actions and to engage in morally right ones.<sup>16</sup>

While acknowledging "absolutes" of the foregoing kind, revisionist theologians deny that there are moral absolutes in the sense of norms universally proscribing specifiable sorts of human action described in morally neutral language. They call such norms "material" or "behavioral/material" norms. According to them such norms identify "physical acts" or "material acts" or "behavior," including, in some cases, the "direct" or immediate effects of such acts, described independently of *any* of the acting subject's purposes.<sup>17</sup> As one revisionist theologian, Richard Gula, puts it, such "material norms," "when stated negatively, point out the kind of conduct which ought to be avoided *as far as possible*," but all such norms "ought to be interpreted as containing the implied qualifiers, 'if there were no further intervening factors,' or 'unless there is a proportionate reason,' or 'all things being equal.'"<sup>18</sup> Later I wish to examine more closely this way of describing the "absolute" or "exceptionless" norms that the Catholic tradition has affirmed.

## **B. Arguments to Support the Revisionists' Denial of Moral Absolutes**

To support their claim that there are no moral absolutes in the sense of specific moral norms proscribing actions described in morally neutral language, revisionist theologians advance several lines of reasoning. Among the more important are the following: (1) the requirements of the "preference principle" or "principle of proportionate good"; (2) the nature of a human act as a totality; and (3) the historicity of human existence.

*1. The "Preference" Principle or Principle of "Proportionate Good"* • A principal line of reasoning advanced by revisionist theologians to support their denial of the truth of moral absolutes is that such a denial is entailed by the requirements of the basic principle of morality, the "preference principle" or the "principle of proportionate good."

According to revisionist theologians, "material" or "behavioral" norms, although not absolute, are intended to guide our choices. Their purpose is to help us distinguish right from wrong and to understand how human actions relate to human goods and values. Consequently, in articulating material norms, such as those proscribing the killing of the innocent, sex with persons other than one's spouse, etc., it is essential to take into account the way that human goods and values will be affected by possible courses of actions. By human goods and values revisionist theologians have in mind the kind of goods basic to human persons and considered in the previous chapter, goods such as life itself, knowledge of the truth, appreciation of beauty, and the like.<sup>19</sup> Revisionist theologians maintain that these human goods and values (and their deprivations, or evils or disvalues) are not, of themselves, moral in nature. Rather they are described by these theologians as being "premoral," "nonmoral," or "ontic."<sup>20</sup> The crucial question is how we should determine, in developing material norms and in judging which acts are legitimate exceptions to them, which acts are morally right and which acts are morally wrong, i.e., which acts promote and enhance these nonmoral goods and values and which do not? There is need, in other words, for a basic moral norm or criterion to help us distinguish morally acceptable alternatives from unacceptable ones.

Recall now the principle to which the authors of the "Majority Report" appealed, namely, that it is against right reason to take the life of an innocent person (a nonmoral good) or to destroy other goods,

“unless there is question of a good of a higher order.”<sup>21</sup> As formulated by leading revisionist theologians the principle has come to be known as the “preference principle” or the “principle of proportionate good” or “proportionate reason.” Bruno Schüller puts it this way: “Any ethical norm whatsoever regarding our dealings and omissions in relation to other men . . . can be only a particular application of that more universal norm, ‘The greater good is to be preferred.’ ”<sup>22</sup>

According to this principle it is morally right to intend a nonmoral evil, such as the death of an innocent person, if this evil is required by a “proportionately related greater good.” Thus, as Richard A. McCormick says, “Where a higher good is at stake and the only means to protect it is to choose to do a nonmoral evil, then the will remains properly disposed to the values constitutive of human good. . . . This is to say that the intentionality is good even when the person, reluctantly and regretfully to be sure, intends the nonmoral evil if a truly proportionate reason [i.e., good] for such a choice is present.”<sup>23</sup>

This principle does not, according to revisionist theologians, mean that a good end can justify morally evil means. But they do hold that the intending and doing of any nonmoral evil, i.e., the deprivation of any nonmoral good, can be justified if such intending and doing of evil is ordered to a “proportionately greater” nonmoral good.<sup>24</sup>

From this it follows that every material norm is subject to an exception clause: It is wrong to kill an innocent person, to lie, to have sex with someone other than one’s spouse, and so forth, *except* when doing so is required in order to attain a proportionately greater good. Thus some acts of direct abortion, mercy killing, contraception, remarriage after divorce, etc., can be morally right acts *if* such acts are done for the sake of a proportionately greater good.<sup>25</sup>

Note that revisionist theologians hold that it is morally right deliberately to intend a “nonmoral” evil for the sake of a proportionately greater “nonmoral” good.<sup>26</sup> Here it is interesting to recall that one of these theologians, Richard A. McCormick, acknowledged in an essay written in 1973 that there is a significant moral difference between a will that intends evil and a will that merely permits evil. At that time McCormick wrote: “The will relates differently to what it intends and what it permits . . . the intending will (hence the person) is more closely associated with the evil than is a permitting will. This bespeaks (in some admittedly obscure way) a greater willingness that it [the evil] occur.”<sup>27</sup>

Thus at that time McCormick held that a “greater” proportionate

good is required if one is to intend the nonmoral evil than if one only “permits” or “indirectly intends” the nonmoral evil associated with one’s action.

Bruno Schüller, on reading this essay of McCormick, insisted that “the person who is prepared to realize the good even by intending evil is more willing that the evil exist, but only because he is more willing that the good exist.”<sup>28</sup> He went on to say that “if someone is ready to bring the good into existence only by permitting the evil, it has been suggested [by McCormick] that he is less willing that the evil exist. Yet it must also be said that he is less willing that the good exist.”<sup>29</sup> From this Schüller concluded: “Therefore, I am strongly inclined to believe that in point of fact ‘*intend as a means*’ and ‘*permit*,’ when referring to a non-moral evil, denote exactly the same mental attitude.”<sup>30</sup> In other words, according to Schüller there is, contrary to McCormick’s belief in 1973, no significant moral difference between an intending and a permitting will.

When apprised of Schüller’s view, McCormick changed his mind and abandoned his position that an intending will more closely relates the person to evil than does a permitting will. Declaring that Schüller’s objection to his original position was “fatal,”<sup>31</sup> McCormick now agrees with Schüller. Their common point is this: since there is no moral difference between deliberately intending a “nonmoral” evil and merely permitting it, the person who intends and does evil for the sake of a proportionately greater good has a greater love for the good than does a person who refuses to intend and do evil yet at times does permit it. And in their judgment this is an admirable trait of moral character.

The foregoing account of the “preference principle” or “principle of proportionate good” summarizes one of the major reasons why revisionist theologians deny that there are any moral absolutes. According to these theologians the refusal to intend and do the (“non-moral”) evil these absolutes proscribe would be a moral weakness when intending and doing such evil is demanded by the “preference principle.” It is, after all, the basic norm of morality, holding primacy in moral judgment.<sup>32</sup>

*II. The Nature of a Human Act as a Totality* • Another line of reasoning, closely related to the former, is that based on the nature of a human act as a whole or totality. This line of reasoning, like the previous one, was also central to the “Majority Report” of the Papal Commission. Readers will recall that in the report the majority had argued that a moral judgment about contraception could only be made in

terms of the purposes of contracepted marital acts and the whole of the married life. The "Majority Report" claimed that if a couple deliberately prevents conception in individual marital acts in order to express their marital union and orders these contracepted marital acts toward generous fecundity, then one could properly say that *what* the couple was doing — the "object" of their moral choice — was "fostering love responsibly toward generous fecundity," even, though this required the "material privation" (=nonmoral evil) of individual acts of marital union of their openness to human life.<sup>33</sup>

One major supporter of this "Majority Report," it should be noted, was Josef Fuchs. In subsequent writings Fuchs insisted that it is not possible to make a moral judgment about the intending and doing of "pre-moral" evil as such, because, he claimed, "an action cannot be judged morally in its materiality (killing, wounding, going to the moon) without reference to the intention of the agent; without this, we are not dealing with a human action, and only of a human action may one say in a true sense whether it is morally good or bad."<sup>34</sup>

It is important to recall here that Fuchs and other revisionists identify the moral absolutes they deny with "material" or "concrete behavioral" norms specifying "physical acts" or "material acts," including, in some cases, their "direct" effects, described independently of *any* purpose of the agent.<sup>35</sup> Revisionists claim that the tradition affirming such absolutes arbitrarily abstracted *some* elements of an action from its total, concrete reality and rendered a moral judgment on this abstraction and not on the total human act. In their view, such judgments simply ignored the moral reality of the act as a whole.

According to revisionists, therefore, if one properly evaluates the whole act and not merely partial aspects of it, one will arrive at the correct moral judgment. Thus, for example, one will see that contraceptive intercourse, if done by married persons for a truly proportionate good, is only a partial aspect of a whole human act that can rightly be described as "fostering love responsibly toward a generous fecundity." Likewise, if a married couple resorts to contraceptive sterilization (tubal ligation or vasectomy) because any further pregnancy might endanger the mother's life, the choice to sterilize, when seen within the totality of what the couple is doing, can be truthfully described as a "marriage-stabilizing" act.<sup>36</sup> Accordingly, in the view of revisionists, to absolutize norms proscribing contraception and contraceptive sterilization is to be blind to the wholeness of the concrete human act. And the same is true, they claim, of other alleged moral ab-



solutes, such as those proscribing the deliberate killing of the innocent, having sex with someone who is not one's spouse, etc. Such material norms, while useful and valid for the most part, ought to be set aside when the action as a concrete whole demands that this be done if the greater good is to be served.

*III. The Historicity of Human Existence* • According to revisionist theologians, material norms are useful generalizations alerting us, as Gula says, to the "kind of conduct that ought to be avoided as far as possible."<sup>37</sup> We come to the knowledge of these norms by the collaborative exercise of human intelligence by persons living together in communities and reflecting on shared human experiences.<sup>38</sup> Since material norms are discovered in this way, it follows that they are affected by human historicity and the open-ended, ongoing character of human experience. Revisionists recognize that there is a "transcendent," "transhistorical," and "transcultural" dimension of human persons, insofar as human persons are called to "a steadily advancing humanization."<sup>39</sup> Nonetheless, "concrete" human nature, by reason of its historicity, is subject to far-reaching changes. It thus follows that no specific material norm, articulated under specific historical conditions, can be true and applicable universally and unchangeably.

Nor does it follow from this that these norms are merely subjective and relative. Their objective truth corresponds to the actions they proscribe or prescribe insofar as these are related to the "whole concrete reality of man" and of the particular, historical society in which people live.<sup>40</sup> Nonetheless, while these norms are true and objective, they cannot be absolute in the sense of being universally true propositions about what human persons ought or ought not to do in every conceivable situation. In fact, as Fuchs has said, "a strict behavioral norm, stated as a universal, contains unexpressed conditions and qualifications which as such limit its universality."<sup>41</sup> Since human experience, reflection upon which leads to the formulation of material norms, is itself an ongoing, open-ended process, it follows, as Francis Sullivan put it, that "we can never exclude the possibility that future experience, hitherto unimagined, might put a moral problem into a new frame of reference which would call for a revision of a norm that, when formulated, could not have taken such new experience into account."<sup>42</sup>

As a result, material norms are "valid only for the most part."<sup>43</sup> Some describe actions that for all practical purposes ought never to be freely chosen — for instance, raping a retarded child<sup>44</sup> or dropping

nuclear bombs on civilian centers of population<sup>45</sup> — and can be regarded as “practical absolutes” or “virtually exceptionless” norms.<sup>46</sup> Nonetheless, because of the historicity of human existence and the ongoing character of human experience all material norms must be regarded as open in principle to exceptions in the light of new historical conditions and new human experience.

I believe that the foregoing sections have summarized the principal lines of reasoning advanced by revisionist theologians to support their claim that there are no moral absolutes. I turn now to a critical assessment of their views.

## **2. A Critique of Revisionist Denial of Moral Absolutes**

Here I will show that the lines of reasoning advanced by revisionists to support their claim that there are no exceptionless specific moral norms (=moral absolutes) are fatally flawed. But before offering a critique of their principal modes of argumentation I want first to note how they prejudice matters by their way of describing these moral norms.

Revisionist theologians, as we have seen, uniformly refer to moral absolutes as “material” or “concrete behavioral” norms. They say that these norms identify “physical acts” or “material acts,” including, in some instances, the direct effects of these acts. They maintain that such “material” acts are physical or material events considered in abstraction of *any* purpose or intention of their agents.<sup>47</sup>

But Catholic theologians who today defend the truth of moral absolutes and those who did so in the past, including St. Thomas Aquinas (whose thought on this matter will be taken up later), offer a much different account of these “material” or “behavioral” norms, which they *never* call “material” or “behavioral” norms. According to these theologians, the human acts identified and morally excluded by such norms are not specified independently of the agent’s will. Rather, they are specified “by the object” (*ex obiecto*), and by “object” they mean exactly *what the agent chooses*, i.e., the act to be done or omitted and the proximate result sought in carrying out the choice to do this act.<sup>48</sup> Thus, for example, Pope John Paul II, in *Reconciliatio et Poenitentia*, referred to a “doctrine, based on the Decalogue and on the preaching of the Old Testament, and assimilated into the *kerygma* of the Apostles and belonging to the earliest teaching of the Church, and constantly reaffirmed by her up to this day.” What doctrine? The doctrine that “there exist acts which *per se* and in themselves, inde-

pends of circumstances, are *always* seriously wrong by reason of their object (*propter obiectum*).<sup>49</sup>

The Catholic tradition affirming these moral absolutes held that these norms do not bear upon acts “in their *natural* species” but rather upon them “in their *moral* species (or genus).”<sup>50</sup> The “form” or “intelligibility” of such acts is not given by their nature as physical or material events in abstraction from the agent’s understanding and willing but from their intelligibly chosen objects.<sup>51</sup> In this tradition, moreover, “direct” does not mean merely causal, material, or behavioral immediacy but rather the adoption by the will of what serves as either end or means.<sup>52</sup> For example, the very same *physical* or *material* act (the “natural” species of an act), namely, sexual intercourse, can be, by reason of its intelligibly chosen “object,” either a marital act, which is good in its *moral* species, or an act of incest or of adultery or of fornication, all of which are evil in their moral species.<sup>53</sup>

I will return later to this subject. I note it here, at the beginning of my critical assessment of revisionist thought, to show how great is the difference in the way traditional Catholic thought conceived of the exceptionless norms or moral absolutes that are the subject of our inquiry and in the way that revisionist theologians conceive of them. I now turn to an examination of the major lines of reasoning advanced by revisionists to support their denial of moral absolutes.

### *1. The Preference Principle or Principle of Proportionate Good •*

According to revisionist theologians the basic moral principle that is to guide us both in formulating “material” norms, which are, after all, useful guidelines that are valid for the most part, and also in determining when there are exceptions to these norms is the preference principle or principle of proportionate good. This principle maintains that moral judgments should be made by a comparative evaluation of the “nonmoral” goods or evils promised by the various alternatives of choice, and that the alternative promising the greater balance or proportion of nonmoral good over nonmoral evil is the one that ought to be chosen because it is the morally right action or sort of action. This principle justifies the deliberate intention to do a nonmoral evil for the sake of a proportionately greater nonmoral good. Some revisionist theologians — for instance, Josef Fuchs and Peter Knauer — claim that one does not, in any morally relevant sense, “intend” evil when one chooses to do evil only as a proportionate means to a greater good. But most revisionists frankly acknowledge that the “preference” principle provides moral warrant for directly intending evil when this

is done for the sake of a greater good. In fact, as we have seen, Schüller and McCormick deny that there is any morally relevant difference between a will that only “permits” evil and a will that deliberately or directly “intends” evil, and they consider it a commendable character trait to be willing deliberately to intend a lesser evil for the sake of a higher good insofar as this manifests a greater love of the good.<sup>54</sup>

Revisionist theologians seem to consider the “principle of proportionate good” to be self-evidently true. According to it we are to choose the alternative promising the greater balance of good over evil. If this principle is not true, they say, then the absurdity seems to follow that we ought to choose the alternative promising the greater proportion of evil over good. Thus McCormick states the “preference principle” negatively to show how it is used in “conflict” situations in which evil inevitably results no matter what one chooses to do. He put the matter this way: “The rule of Christian reason, if we are to be governed by the *ordo bonorum*, is to choose the lesser evil. This general statement, it would seem, is beyond debate, for the only alternative is that in conflict situations we should choose the greater evil, which is patently absurd.”<sup>55</sup>

Although the “preference principle” has some initial plausibility, closer examination shows that this plausibility rests on the ambiguity of the word “good.” The morally upright person naturally wants to do the greater good, in the sense of what is morally good. But the revisionist “principle” assumes that it is possible to determine, prior to choice, which among various alternatives is *morally* good by balancing or measuring or commensurating in some way the different non-moral goods and evils in these different options. The insuperable problem here, as Germain Grisez, John Finnis, and Joseph Boyle have shown,<sup>56</sup> is that there can be no unambiguous or homogeneous measure according to which the goods in question (such goods as human life itself, health, knowledge of the truth, appreciation of beauty, friendship) can be compared with one another or according to which individual instances of these goods (e.g., the life of Mary Smith and the life of Peter Jones) can be weighed or measured or “commensurated.” Although none of these goods is absolute — only God, the *Summum Bonum*, is absolute — each is in truth a priceless good of human persons and, as such, a good to be prized, not priced, a good participating in the incalculable goodness of the human person. The effort to commensurate them, to determine which is in every way

“greater,” is like trying to compare the number 87 with the length of this page. One simply cannot do so. One could do so if they could be reduced to some common denominator, as one can compare the number 87 with the length of this page if one compares these items by means of a common denominator such as centimeters, inches, or feet, scales adopted not by discovering a truth about these realities but by an arbitrary act of the will. But the goods involved in moral choice are not reducible to some common denominator. They are simply different and incomparable goods of human persons. Thus, the presupposition upon which the alleged “preference principle” rests is false: one cannot determine, prior to choice, which alternative unambiguously promises the “greater” good. One cannot determine, in a nonarbitrary way, which human goods are greater or lesser. They are all incomparably good, irreducible aspects of human flourishing and well-being.<sup>57</sup> And the same is true of individual instances of these basic goods of human persons. Who could judge whether Jane Smith’s life is a “greater good” than the life of John Jones?

As a matter of fact, most revisionists have simply ignored this criticism and continue to say that in making moral judgments the goods and evils at stake in the available alternatives are commensurable. Those revisionists who have sought to respond to this objection have not done so satisfactorily.

McCormick, for instance, has been forced by this criticism to acknowledge that it is, in the strict sense, impossible to commensurate goods of different categories “against” each other. Thus he now says that, “while the basic goods are not commensurable (one against the other), they are clearly associated.” He then claims that one can, by considering these goods in their interrelatedness or association, commensurate them and judge that the deliberate choice to destroy an instance of one good in present circumstances will not undermine respect for that good and that destroying or impeding it here and now is necessary to foster the flourishing of related goods.<sup>58</sup>

McCormick’s response, however, is in reality no response at all. It amounts to saying that, although there is no nonarbitrary way to commensurate goods, we somehow succeed in doing so by “relating” or “associating” them. McCormick himself admits as much, for he speaks of assessing the greater good as a “prudent bet” and of commensurating in “fear and trembling” by *adopting a hierarchy*.<sup>59</sup> By saying this he is admitting that the commensuration required by the “preference” principle is accomplished by an act of choice. But the *principle* was

proposed so that we could determine, *prior* to choice, which alternatives are morally good and which are morally bad by commensurating the goods and evils in these alternatives. Now McCormick says that in order to commensurate the goods so that a judgment can be made as to which alternative promises the greater proportion of good over evil we must first adopt a hierarchy of goods and make prudent bets. This kind of response simply will not do, nor does it face squarely the criticism that the goods in question are simply not commensurable in the way that proportionalism requires them to be.<sup>60</sup>

Garth Hallett claims that comparison of goods is possible because the intelligibly appealing features of the various alternatives of choice can be said to have more or less "value," in some sense of "value" that remains the same as one moves from one feature to another. By comparing goods in this way, he alleges, one can discover the alternative promising the greater good, for it will have *all* the "value" promised by any other alternative *and more*.<sup>61</sup>

But this reply is not coherent. As John Finnis has noted, "if one option seems to a deliberating agent to offer all that the alternatives offer *and some more*, the alternatives simply fall away; they completely lose the intelligible appeal which made them options. . . . Morally significant choices . . . are not and cannot be made in situations where the alternatives to option X have *nothing* intelligibly attractive which X does not have, and X has *everything* the alternatives have, *and some*."<sup>62</sup>

Two philosophers, Robert McKim and Peter Simpson (who are not, so far as I know, followers of revisionist thought), have argued that one who has identified, on the basis of the "preference principle," the option promising the greater proportion of good over evil can still choose an alternative excluded by the principle, perhaps out of selfishness.<sup>63</sup> Their objection misses the point of the criticism. The revisionist principle is not offered as a way for discerning the moral alternatives to selfishness or other immoral character traits. Nor is it the futile attempt to identify the morally right option *after* one has identified alternatives as selfish. Its purpose is to discover the morally right choice from among alternatives each of which has some intelligible appeal. And the insuperable difficulty it faces is that if it could succeed in doing so, the choice it was proposed to exclude as morally unacceptable would simply fade away, for only one alternative would be left that would be *intelligibly* appealing. It is possible for us to make immoral choices not only because we can follow feelings against reason

but also because the intelligible goods promised by available options are simply not commensurable or reducible to some common denominator. Immoral choices made in pursuit of intelligible goods are *unreasonable*, but they are not *irrational*.

In their effort to support the “preference principle,” Schüller and McCormick, as we have seen, claim that a person who is willing to intend a lesser “nonmoral” evil for the sake of a greater “nonmoral” good has a greater willingness or love of the good — an admirable character trait — than does one who refuses to do such evil. But this claim, as Finnis has noted, involves equivocal uses of the term “willing.” Schüller and McCormick use it to designate emotional attitudes, not intelligent choices. But, as Finnis observes, “the moral life is in large measure a struggle to *integrate* one’s feelings and attitudes, one’s ‘willingness and unwillingness,’ with intelligent commitments . . . and choices.”<sup>64</sup> On the Schüller-McCormick understanding of “willingness,” it would seem to follow that a nation threatened by a ruthless adversary would have a greater love or will for the good if it is willing to execute the adversary’s children in order to deter the adversary from carrying out planned injustices than if it is willing to defend itself by attacking the adversary but unwilling to hold the adversary’s children as hostages and executing them. Or a man willing to swear to a document setting forth beliefs that he does not hold in order to stay alive, care for his wife and family, and do noble deeds has a greater love of the good than, say, St. Thomas More, who was unwilling to do so. Such examples (and others could be given) show the fallacy of the Schüller-McCormick thesis, which equivocates in its use of the term “willing.”

Another telling argument against the “preference principle” is advanced by Bartholomew Kiely, who emphasizes that this principle fails to consider seriously the reflexive or immanent consequences of human acts as self-determining choices.<sup>65</sup> As Kiely notes, we make ourselves to be the persons we are by the actions we freely choose to do. In choosing to do evil, even for the sake of some alleged “greater good,” we make ourselves *to be* evildoers. I shall return to this matter later, when defending the truth of moral absolutes.

The reasons given here are sufficient to show that the alleged “preference principle” must be rejected, and with it the rationale it offers for rejecting the truth of moral absolutes.<sup>66</sup>

*II. The Nature of a Human Act as a Whole or Totality* • Revisionists claim that we cannot judge whether a given act is morally good or bad

unless we consider this act in its wholeness or totality; because we cannot do so, it follows that there can be no moral absolutes insofar as such absolutes arbitrarily abstract the “material” or “physical” character of the act from its human totality, without any reference to the agent’s purposes or intentions.

I have already shown that this claim rests upon a prejudiced description of moral absolutes. For, as we have seen, theologians who defend the truth of moral absolutes do not ignore the purposes or intentions of the agents; rather, they insist that both the “remote” or “ulterior” end and the “proximate” end of the agent’s action — i.e., both the purpose for whose sake the deed is done and the deed willingly chosen as a means to that purpose — must be taken into account. It is true that an act must be good in its “totality” or “wholeness” if it is to be morally good (*bonum ex integra causa*). But it is not true that we cannot judge that a proposed act is morally bad without taking into account *all* of its elements, for if we know that *any* of its elements is bad, we know that the *whole* act is morally vitiated (*malum ex quocumque defectu*). Consequently, human acts already known to be bad by reason of their “objects” (i.e., the intelligible subject matter upon which the agent’s will must bear as a chosen means to some ulterior end) remain morally bad even if the circumstances in which they are chosen or the end for whose sake they are adopted as means are good. Revisionists, in their arguments based on the “wholeness” or “totality” of the human act, focus on the agent’s “remote” or “ulterior” end or “further intention,” i.e., on the good that the agent hopes to realize by choosing to do *x* here and now, or the evil that the agent hopes to avoid by choosing to do *x* here and now. But they fail to take seriously — indeed, they even ignore — the moral significance of the *x* that is chosen to realize this end and the fact that the agent freely wills this *x* as a chosen means, for it is the “proximate” end of his will act and the “present intention” that shapes his moral being.

Revisionists are thus led to *redescribe* human actions in terms of their hoped-for results. Thus, as we have seen, they describe a series of contracepted marital acts *not* as acts of contraception but as a single act of “fostering love responsibly toward a generous fecundity.” Similarly, they describe the choice of contraceptive sterilization as a “marriage-stabilizing” act. To do this is like describing an act of embezzlement, when done in order to gain money to build a park for children, as “obtaining money for a children’s park.” It conceals, rather than reveals, *what* the person is doing.<sup>67</sup>



The argument to support the denial of moral absolutes based on the “totality” or “wholeness” of a human act is, thus, fallacious. It fails, first of all, to recognize that, although one cannot definitively say that a human act is morally good unless one takes into account all of the elements that enter into it (insofar as all aspects of a human act must be morally good if the act as a whole is to be good), one can definitively say that a given human act is morally bad as soon as one knows that *any* of its elements is morally bad. Secondly, it falsely redescribes actions in terms of their anticipated results and by doing so fails to reveal and at times even conceals *what* moral agents are in fact choosing and doing.

*III. The Historicity of Human Existence and Moral Absolutes* • A key tenet of revisionist theologians is that we come to know “material norms” inductively by the collaborative effort of persons living in communities, reflecting together on common human experience. Since such experience is open-ended and ongoing, it follows, they say, that “we can never exclude the possibility that future experience, hitherto unimagined, might put a moral problem into a new frame of reference which would call for a revision of a norm which, when formulated, could not have taken such experience into account.”<sup>68</sup>

There is no doubt that morality is in some ways relative to contingent social and historical reality. Thus societies, like individuals, make choices that both generate and limit moral responsibilities; new alternatives become available as societies and technologies develop; better factual judgments often give rise to new insights into moral responsibilities; and moral judgment is frequently blocked by cultural biases and opened by changed conditions.<sup>69</sup> But it does not follow from this that *all* specific moral norms are relative to changing social and historical reality. Revisionists themselves seek to avoid a radical historical and cultural relativism by appealing to the “transcendental” standard of “a steadily advancing ‘humanization’” or to the self-realization of persons and of the communities in which they live.<sup>70</sup> But this vague standard, as Germain Grisez among others has noted, lacks the content needed “to determine what should and what should not count as morally determinative when one fills the formal concept of human self-realization [or ‘humanization’] with the whole concrete reality of persons in society and their world.”<sup>71</sup>

The claim that the open-ended and ongoing character of human experience precludes the possibility of permanently true specific moral norms is undoubtedly verified with reference to *some* moral norms —

not all moral norms, after all, are absolute. But this claim presumes that an action can be morally evaluated only as a totality for the purpose of identifying the behavior that will foster human self-realization and self-development,<sup>72</sup> or that will not contradict or negate its own good purpose.<sup>73</sup> But this assumption, as has already been shown in our discussion of the wholeness or totality of a human act, is simply not true. Once an action has been properly identified, for instance, as an act of rape, one need not delay judgment about its morality until one knows why the rapist is choosing to do it, where it is done, in what century or millennium it occurs, and so forth. One can, on the basis of relevant moral *principles*, at once declare that it is simply the sort of act that an upright human person, one whose heart is open to the goods perfective of human persons, ought not freely choose to do.

Revisionist theologians claim that specific moral norms must be based on “concrete” human nature, which is subject to radical change, as opposed to “transcendent” human nature, on which the formal norms that revisionists recognize as absolute are based. They then claim no specific moral norms based on concrete human nature can be universally and irreversibly true.<sup>74</sup> But revisionist theologians do not explain clearly what “concrete,” as opposed to “transcendent,” human nature means. They do not show how fundamental human goods, such as life itself, knowledge of the truth, friendship, and so forth, might cease to be good and perfective of human persons, nor do they explain how their claim about radical change in human nature is compatible with the unity of the human race and our solidarity with Christ. They fail to show how this claim can be harmonized with such basic truths of Catholic faith as, for instance, that “all human beings . . . have the same nature and the same origin,”<sup>75</sup> a “common nature,”<sup>76</sup> and the “same calling and destiny,” and so, being fundamentally equal both in nature and in supernatural calling, can be citizens of the one people of God regardless of race or place or time.<sup>77</sup> Thus, the denial of moral absolutes on the alleged claim that there is a radical change in concrete human nature because of human “historicity” simply cannot be sustained.

For all the reasons given in this section, I believe that the revisionist attack on the truth of moral absolutes has been shown to be based on seriously defective arguments. The failure of revisionists to support their denial of moral absolutes by reasoned arguments is itself evidence that there are moral absolutes.

Before presenting a defense of the truth of moral absolutes, how-

ever, it is necessary to consider the position taken by some philosophers and theologians who repudiate the revisionist or “proportionalist” method of making moral judgments but who nonetheless think that “prudence” can at times justify the choice of an act judged bad by reason of its object.<sup>78</sup> These moralists emphasize the fact that the norms excluding such acts are universal, whereas the acts one chooses are absolutely individual, unique, unrepeatable. They think that a prudent person must consider not only the universal norm but also the existential and unique features characteristic of this particular act here and now. They believe that when a prudent — i.e., virtuous — person, does take into account these unique and unrepeatable features he may reach the judgment that here and now, in these particular circumstances, an act that would normally be judged immoral by reason of its object, is morally justified.

The principal difficulty with this position — advanced, it needs to be noted, by moralists who repudiate the kind of moral reasoning employed by revisionist theologians to justify their denial of moral absolutes — is that it misconceives the meaning of prudence as a virtue and the sense in which particular human acts are indeed unique and unrepeatable. The virtue of prudence does indeed enable human persons to determine the situations in which there are genuine exceptions to moral norms. Not all moral norms, as previously noted, are absolute. For example, the norms requiring us to keep promises and to return things that we have borrowed to their owners are not absolute; and the prudent person, the virtuous person, is the one who is capable of determining the existential situation in which norms of this kind are not binding. He or she is able to judge that in these particular circumstances, norms of this kind are not obligatory insofar as the moral principles giving rise to them likewise justify exceptions to them here and now.

Nonetheless, some moral norms are absolute, without exceptions, insofar as the sorts or kinds of actions specified by them are actions in which one cannot *not* intend evil, i.e., choose to damage, destroy, or impede what is really good. Thus prudence, the virtue disposing one to choose rightly the means to achieving the good, can never justify a choice to *do* evil, to adopt by choice a proposal to damage, destroy, or impede what is really good.

For all the reasons given in this section, I conclude that the revisionist attack on the truth of moral absolutes has been shown to be based on seriously defective arguments. The failure of revisionists to

support their denial of moral absolutes by reasoned arguments is itself evidence that there are moral absolutes. I will now offer positive reasons to support the truth of such norms.

### **3. Defense of the Truth of Moral Absolutes**

I will begin my defense of the truth of moral absolutes by reflecting briefly on the significance of human acts as free, self-determining choices. As we have already seen, one of the criticisms advanced against revisionist moral theology is that it fails to consider seriously the reflexive or immanent consequences of human acts as free, self-determining choices. As we saw in Chapter One, human acts, while involving physical performances, are not transient physical events in the material world that come and go. At their core is a free, self-determining choice that abides within the person, giving to him or her an identity and disposing him or her to choose in similar ways in the future.<sup>79</sup> In short, we make ourselves to be the kind of persons we are, in and through the actions we freely choose to do.

Many revisionist theologians, it is important to observe, maintain that the terms “good” and “bad” refer most properly to human persons as moral beings, whereas the proper terms to use in referring to human acts are “right” and “wrong.” They regard “transcendent formal” norms, which they recognize as absolute, as norms expressing the qualities, dispositions, and attitudes that ought to characterize the morally good person. These norms, they note, are concerned *not* with human acts but rather with the *being* of the human person.<sup>80</sup> So-called “material” norms, on the other hand, are not concerned with the *being* of the person but with the rightness or wrongness of human acts.<sup>81</sup> In addition, many revisionist theologians hold to some form of a theory of “fundamental option” or “basic freedom” that *relocates* self-determination from the free choices we make every day (including such basic commitments as getting married or entering the priesthood or religious life) to an alleged exercise of a fundamental option or basic freedom at the core of our being whereby, it is said, we take a stance “for” or “against” God and basic human values. It is in the exercise of this basic freedom that we determine ourselves and make ourselves *to be* the persons we are. According to these theologians, we do *not* determine ourselves and make ourselves *to be* the persons we are through the everyday exercise of free choice, which, they maintain, is concerned with actions on the “periphery” of our existence.<sup>82</sup> Some even claim that a person *can* at times freely choose to do what he or

she believes to be gravely immoral — for instance, to have intercourse with the “wrong” person or to kill an innocent person without a proportionate reason — and still remain, in the core of his or her being, a morally good person whose fundamental option is still one “for” God. In short, for revisionists the everyday deeds we choose to do in exercising our “categorical” freedom of choice “horizontally” in our daily relationships are of a fundamentally different moral character from the option we make (apparently, in the thought of at least some revisionists, without even being consciously aware of doing so<sup>83</sup>) deep within our being in our “transcendental” relationship with God.

Revisionists maintain that our relationship with God, established by the exercise of our fundamental option, is directly related to our salvation. They grant that our everyday, “categorical” free choices are related to salvation but only “indirectly,” insofar as our many acts of free choice must be finally integrated into our fundamental option and bring it to maturity.<sup>84</sup>

But the Catholic tradition affirms the saving (or damning) significance of our daily deeds — of the free choices we make every day. Vatican Council II affirmed that we will find perfected in heaven the very good fruits of human nature and work that we nurture here on earth.<sup>85</sup> The New Testament teaches us that redemption includes all human goods and the cosmos itself (see Rom 8.21; 1 Cor 3.22-23; Eph 1.10), and the Church proclaims that the spiritual and temporal orders, while distinct, are so intimately linked in God’s plan that he intends in Christ to appropriate the whole universe into a new creation, “beginning here and now on earth and finding its fulfillment on the last day.”<sup>86</sup>

The truth, in short, as we have seen in Chapter One, is that we determine ourselves, our *being* as moral persons, in and through the actions we freely choose to do every day. When, for example, I choose to lie to my wife, perhaps about a minor matter and perhaps because I hope by doing so to preserve the “greater good” of family harmony, I make myself *to be* a liar; and I remain a liar, disposed to lie again in similar circumstances, until, by another free choice, I become a repentant one. At the core of a human act is a free, self-determining choice.

Therefore, if we are to become fully the beings God wills us to be, we must make good moral choices. Choices are possible only when there are alternatives, and our task is to discover, prior to choice, which alternatives are morally good and which are morally bad. Moral norms are thus “truths” intended to guide us in our choices.

Revisionists claim that the basic moral norm or first moral principle

is the preference principle or principle of proportionate good. According to this principle we are to adopt by choice that alternative that promises the greater proportion of nonmoral good over nonmoral evil. We have now seen the fallacious character of this alleged principle.

In Chapter Two, following the lead of St. Thomas and of Vatican Council II, I proposed, in company with Germain Grisez and others, a different basic moral norm or first moral principle. Here I will briefly summarize what was said in Chapter Two. According to St. Thomas the first moral principle is that we should choose in accordance with love of God and of neighbor.<sup>87</sup> The Fathers of Vatican II taught that the “norm of human activity is this: that in accord with the divine plan and will, it should harmonize with the genuine good of the human race, and allow men as individuals and as members of society to pursue their total vocation and fulfill it” (*Gaudium et Spes*, n. 35). As formulated by Grisez, this first principle of morality can be expressed as follows: “In voluntarily acting for human goods and avoiding what is opposed to them, one ought to choose and otherwise will those and only those possibilities whose willing is compatible with a will toward integral human fulfillment.”<sup>88</sup> Or, to put it another way, in making choices we ought to choose those and only those alternatives whose willing is compatible with a love for all the goods of human persons and of the persons in whom those goods are meant to flourish. A person who chooses in a morally bad way does not respect and love the good gifts of God and the persons in whom these gifts are meant to exist. He or she chooses to act in a way that fails to honor the basic goods of human persons and the persons whom these goods perfect and ennoble.

This first principle of morality can be specified by various “modes of responsibility,” which identify specific ways in which human persons can fail, in their choices and actions, to respect and honor the goods of human existence and the persons in whom these goods are meant to subsist. Among the modes of responsibility, as we saw in Chapter Two, are those requiring us *not* to adopt by choice proposals to damage, destroy, or impede these goods, either in ourselves or in others, whether out of hostility toward a good (the seventh mode) or because the continued flourishing of a good in ourselves or others inhibits our participation in some other good that we arbitrarily prefer (the eighth mode). From these modes of obligation we can derive more specific moral norms, such as those proscribing the deliberate choice to kill innocent human life, to commit adultery or to substitute, for the

person whom we have made nonsubstitutable by our choice to be married, some other person, etc. In short, these modes of responsibility are the basis of specific moral norms proscribing actions in which, of necessity, our will — our heart, our person — ratifies the doing of evil, deliberately damaging, destroying, or impeding what is really good. Such norms are absolute or exceptionless because they are rooted in modes of responsibility which in turn simply specify the moral requirements of the first principle of morality.

Although moral absolutes are negative, they allow human persons to keep themselves open to be fully the beings they are meant to be. They remind us that some kinds of human choices and actions, although responsive to *some* aspects of human good, make us persons whose hearts are closed to the full range of human goods and to the persons in whom these goods are meant to exist. We simply *cannot* have a heart open to and responsive to what is really good if, through choices and actions, we are willing that evil — i.e., the intentional deprivation of these goods from the persons in whom they are meant to subsist — *be*. Because the human person's vocation is to love, even as he or she has been and is loved by God in Christ, it is not possible to say, affirmatively, precisely what love requires, for its affirmative obligations must be discovered by us in our creative endeavor to grow daily in love of God and neighbor. But moral absolutes show us what love *cannot* mean: it cannot mean that we deliberately set our wills *against* the good gifts that God wills to flourish in his children and close our hearts to our neighbors.

Each true specific moral absolute summons each person to revere the goods intrinsic to human persons. Human persons, each in his or her corporeal and spiritual unity (*Gaudium et Spes*, n. 14), are the only earthly creatures God has willed for themselves (*Gaudium et Spes*, n. 24). Respect for human persons, each for his or her own sake, is therefore required by the Creator's design, and is a primary element in love of God and of one's neighbor as oneself. Such a respect and reverence is, moreover, a primary demand of that divine dignity to which Christ has raised human nature by assuming it (*Gaudium et Spes*, n. 22).

Each true specific moral absolute excludes every moral choice in which, by adopting and striving after that choice's precise object, one would necessarily integrate into one's will and character some violation of, or other disrespect for, a good intrinsic to human persons — oneself or another or others. Choices which conform to these moral norms enable us to live worthily the vocation to which we have been

called. Since they show reverence for human persons, they provide the materials for the building up of the kingdom (cf. *Gaudium et Spes*, n. 38). Whatever their earthly fortune or failure, these choices cultivate human personal goods (the goods of “truth and life, holiness. . . , justice, love, and peace”) and will, with those goods, be found again in the completed kingdom (cf. *Gaudium et Spes*, n. 39) — like Christ’s adherence to his vocation in the face of earthly failure, suffering, and death. The reality of this kingdom, which is being built up on earth in mystery but is not to be equated with earthly fulfillment and will not be completed save in the new heavens and new earth (cf. *Gaudium et Spes*, n. 39), is a reality which relativizes every earthly horizon which one might hope to use as a “measure” for weighing the worth of possible choices. Thus the prospect of the kingdom replaces every alternative horizon against which a violation of human dignity can seem “necessary” or “the greater good” or “the lesser evil.”

In fact, the norms which identify such violations of the goods intrinsic to human dignity liberate man from servitude to every partial, fragmentary, and illusory horizon, from servitude to every aspiration to assume the role proper to divine Providence itself. Instead, these norms leave each person to the creativity of his or her own vocation, within the all-embracing vocation to holiness, the holiness which alone is adequate to the gift and promise of divine sonship and to giving and reflecting God’s true glory.

In and through the deeds we freely choose to do we give to ourselves our identities as moral beings. Moral absolutes remind us that by freely choosing to damage, destroy, or impede what is really good either in ourselves or in others — even for the noblest motives — we make ourselves to be evildoers. But human persons, made in the image of the holy and triune God, are to be, like him, absolutely innocent of evil. God wills properly and *per se* — i.e., as end or means — only what is good. He permits evil, but he does not choose to do evil or intend that evil *be*.<sup>89</sup> Likewise we, his children, ought never freely choose to do evil, to intend that evil *be*. Moral absolutes, therefore, are required by our *being* as moral beings, as persons capable of making ourselves to be the persons we are, in and through the choices we freely make every day of our lives.

### **Notes for Chapter Three**

1. On this, see, for example, Pope John Paul II, Apostolic Exhortation, *Reconciliatio et Poenitentia*, n. 17; “Discourse to the International



al Congress of Moral Theology,” April 10, 1986, n. 3, in *Persona, Verità, e Morale: Atti del Congresso Internazionale di Teologia Morale (Roma, 7-12 aprile 1986)* (Rome: Città Nuova Editrice, 1987), p. 12.

2. In a document included in the “Majority Report,” the *Documentum Syntheticum de Moralitate Nativitatum*, the majority explicitly repudiated anal/oral sex as absolutely immoral. See text in *The Birth-Control Debate*, ed. Robert Hoyt (Kansas City, MO: The National Catholic Reporter, 1969), p. 76.

3. Charles E. Curran, “Divorce from the Perspective of a Revised Moral Theology,” in his *Ongoing Revisions* (Notre Dame, IN: University of Notre Dame Press, 1976), p. 121.

4. *Documentum Syntheticum*, in Hoyt, p. 69.

5. By “conjugal acts which by intention are infertile” the authors of *Documentum Syntheticum* mean marital acts chosen during the wife’s infertile period. The authors see no moral difference between the use of “artificial” contraceptives and abstinence from intercourse during the wife’s fertile time.

6. *Documentum Syntheticum*, in Hoyt, p. 72.

7. *Ibid.*, p. 75.

8. On this, see the *Schema Documenti de Responsabili Paternitate*, another document included in the “Majority Report,” in Hoyt, pp. 88-90.

9. Josef Fuchs, “Naturrecht oder naturalistischer Fehlschluss?” *Stimmen der Zeit* 29 (1988) 409, 420-422; Fuchs, *Christian Ethics in a Secular Arena* (Washington, DC: Georgetown University Press, 1984), p. 75; Fuchs, *Personal Responsibility and Christian Morality* (Washington, DC: Georgetown University Press, 1983), pp. 131, 139.

10. Louis Janssens, “Ontic Evil and Moral Evil,” *Louvain Studies* 4 (1972) 144 (reprinted in *Readings in Moral Theology, No. 1*, ed. Charles E. Curran and Richard A. McCormick [New York: Paulist Press, 1979], pp. 72-73); “Norms and Priorities in a Love Ethic,” *Louvain Studies* 6 (1977) 231.

11. E.g., Timothy O’Connell, *Principles for a Catholic Morality* (New York: Seabury, 1978), pp. 157-158; Richard Gula, *Reason Informed by Faith: Foundations of Catholic Morality* (New York: Paulist Press, 1989), pp. 282-283.

12. Janssens, “Norms and Priorities in a Love Ethic,” 207; O’Connell, *Principles*, pp. 158-159; Gula, *Reason Informed by Faith*, pp. 283-284.

13. On this, see Gula, *What Are They Saying About Moral Norms?* (New York: Paulist Press, 1982), pp. 55-56.

14. Fuchs, *Christian Ethics in a Secular Arena*, p. 72.

15. Janssens, "Norms and Priorities in a Love Ethic," 208.

16. Fuchs, *Christian Ethics in a Secular Arena*, p. 72; see Fuchs, "Naturrecht oder naturalistischer Fehlschluss?" 411, 416, 419; see also Richard McCormick, *Notes on Moral Theology 1965-1980* (Lanham, MD: University Press of America, 1981), pp. 578-579.

17. Fuchs, *Personal Responsibility and Christian Morality*, p. 191; Fuchs, *Christian Ethics in a Secular Arena*, p. 74; Janssens, "Norms and Priorities in a Love Ethic," 210, 216; Gula, *Reason Informed by Faith*, pp. 288-289.

18. Gula, *Reason Informed by Faith*, p. 291.

19. On this, see, for example, McCormick, *How Brave a New World? Dilemmas in Bioethics* (New York: Doubleday, 1981), p. 5.

20. "Premoral" is the term preferred by Fuchs; "nonmoral" is preferred by Schüller, McCormick, and others; "ontic" is used by Janssens and others.

21. See above, note 4.

22. Bruno Schüller, "What Ethical Principles Are Universally Valid?" *Theology Digest* 19 (March, 1971) 24 (translation of "Zur Problematik allgemeinen ethischer Grundsätze," *Theologie und Philosophie* 45 [1970] 4). McCormick's comment on this text is of interest. He writes: "Stated negatively, it [this principle] reads: put in a position where he will unavoidably cause evil, man must discover which is the worst evil and avoid it. Stated positively, this is its formulation: put before two concurring but mutually exclusive values, man should discover which must be preferred and act accordingly. These statements imply that a physical evil can be caused or permitted only if it is demanded by a proportionate good" (*Notes on Moral Theology 1965-1980*, p. 315).

23. McCormick, "Ambiguity in Moral Choice," The Père Marquette Theology Lecture for 1973, as reprinted in *Doing Evil to Achieve Good*, ed. Richard McCormick and Paul Ramsey (Chicago: Loyola University Press, 1978), p. 39.

24. Fuchs, *Personal Responsibility and Christian Morality*, p. 138.

25. For justification of directly intended abortion for a "commensurate" or "proportionate" reason, see Charles E. Curran, *New Perspectives in Moral Theology* (Notre Dame, IN: University of Notre

Dame Press, 1974), pp. 190-191; for mercy killing or euthanasia, see Daniel Maguire, *Death By Choice* (New York: Doubleday, 1974).

26. See, for instance, McCormick, *Notes on Moral Theology 1965-1980*, pp. 515-516, 718; Charles Curran, *Contemporary Problems in Moral Theology* (Notre Dame, IN: Fides, 1970), pp. 144-145; *New Perspectives in Moral Theology*, pp. 190-193.

27. McCormick, "Ambiguity in Moral Choice," as reprinted in *Doing Evil to Achieve Good*, pp. 30-31; see also pp. 35-36.

28. Schüller, "The Double Effect in Catholic Thought: A Revolution," in *Doing Evil to Achieve Good*, p. 191. See McCormick, "A Commentary on the Commentaries," *ibid.*, p. 241.

29. Schüller, as cited by McCormick, "A Commentary on the Commentaries," pp. 241, 243.

30. Schüller, "The Double Effect in Catholic Thought," p. 191, emphasis in the original.

31. McCormick, "A Commentary on the Commentaries," p. 241.

32. See, for instance, Gula, *Reason Informed by Faith*, pp. 244-245.

33. See above, notes 6 and 7.

34. Fuchs, *Personal Responsibility and Christian Morality*, p. 138.

35. See above, note 17.

36. McCormick, "A Commentary on the Commentaries," p. 241.

37. Gula, *Reason Informed by Faith*, p. 291.

38. Francis Sullivan, *Magisterium: Teaching Authority in the Catholic Church* (New York: Paulist Press, 1983), pp. 150-151. Sullivan lists Curran, Fuchs, Böckle, Schüller, Häring, and other revisionists as agreeing with this way of putting the matter.

39. Fuchs, *Personal Responsibility and Christian Morality*, p. 129.

40. *Ibid.*, p. 133.

41. *Ibid.*, p. 124.

42. Sullivan, *Magisterium*, pp. 151-152; see Fuchs, *Personal Responsibility and Christian Morality*, p. 140.

43. Fuchs, *Personal Responsibility and Christian Morality*, p. 142.

44. On this, see Maguire, *Death by Choice*, p. 99; Janssens, "Norms, and Priorities in a Love Ethic," 217.

45. O'Connell, *Principles for a Catholic Morality*, p. 162.

46. Fuchs, *Personal Responsibility and Christian Morality*, pp. 140-142; Janssens, "Norms and Priorities in a Love Ethic," 217-218.

47. See above, note 17.

48. Thomas Aquinas, *In II Sent.*, d. 40, qu. un., a. 1, ad 4; *In IV Sent.*, d. 16, q. 3, a. 1b, ad 2; *Summa Theologiae*, 1-2, 1, 3, ad 3; *De*

*Malo*, q. 2, a. 4c. See Karl Hoermann, "Das Objekt als Quelle der Sittlichkeit," in *The Ethics of St. Thomas Aquinas*, ed. L. Elders (Vatican City: Libreria Editrice Vaticana, 1984), pp. 122-123, 126-128; Martin Rhonheimer, *Natur als Grundlage der Moral* (Innsbruck and Vienna: Tyrolia Verlag, 1987), p. 95; and Theo Belmans, *Le sens objectif de l'agir humain* (Vatican City: Libreria Editrice Vaticana, 1980), pp. 214-216.

49. Pope John Paul II, *Reconciliatio et Poenitentia*, n. 17.

50. Thomas Aquinas, *Summa Theologiae*, 1-2, 20, 2; *In II Sent.*, d. 40, q. un., a. 2.

51. For texts from St. Thomas, analysis, and commentary, see Patrick Lee, "The Permanence of the Ten Commandments: St. Thomas and His Modern Commentators," *Theological Studies* 42 (1981) 431-432; Belmans, *Le sens objectif de l'agir humain*, pp. 62, 109-119, 124, 162, 237; Rhonheimer, *Natur als Grundlage der Moral*, pp. 91-99, 317-345, 367-374.

52. Thus "direct" killing of the innocent is always explained as killing intended by the will either as an end or as a means. See Pope Pius XII, *Discorsi e Radiomessaggi di sua Santità Pio XII* 6 (12 November 1949), 191-192; Pope Paul VI, *Humanae Vitae*, note 14; Congregation for the Doctrine of the Faith, *De Abortu Procurato* (18 November 1974), n. 7, and *Donum Vitae* (22 February 1987), note 20.

53. Thomas Aquinas, *In II Sent.*, d. 40, q. 1, a. 1, ad 4; *Summa Theologiae*, 1-2, 1, 3, ad 3.

54. See above, notes 27-31.

55. McCormick, "Ambiguity in Moral Choice," as reprinted in *Doing Evil to Achieve Good*, p. 38.

56. Germain Grisez, "Against Consequentialism," *American Journal of Jurisprudence* 23 (1978) 21-72; Grisez, *The Way of the Lord Jesus*, Vol. 1, *Christian Moral Principles* (Chicago: Franciscan Herald Press, 1983), pp. 141-172; John Finnis, *Natural Law and Natural Rights* (Oxford and New York: Oxford University Press, The Clarendon Press, 1980), pp. 118-125; Finnis, *Fundamentals of Ethics* (Washington, DC: Georgetown University Press, 1983), pp. 86-105; John Finnis, Joseph M. Boyle, Jr., and Germain Grisez, *Nuclear Deterrence, Morality, and Realism* (Oxford and New York: Oxford University Press, 1987), pp. 254-261.

57. In *Nuclear Deterrence, Morality, and Realism*, Finnis, Boyle, and Grisez show how the revisionist principle is incompatible with free choice. They note that this principle requires that "two conditions

be met: (i) that a morally significant choice be made and (ii) that the person making it be able to identify one option as offering unqualifiedly greater good or lesser evil. But these two conditions are incompatible, and in requiring that they be met simultaneously consequentialism is incoherent" (p. 254). As they show, choice is possible only when there are two or more alternatives. But an alternative exists only when the good it promises is not available in other possibilities. Thus, if condition (ii) is met, condition (i) cannot be, and vice versa.

58. McCormick, "A Commentary on the Commentaries," in *Doing Evil to Achieve Good*, p. 227; see also pp. 251-253.

59. Ibid.

60. McCormick's response has been reduced to absurdity by Finnis in *Fundamentals of Ethics*, pp. 99-105, and it has been severely criticized by Grisez in *Christian Moral Principles*, pp. 161-164. McCormick, so far as I know, has not even attempted to reply to these incisive critiques.

61. Garth Hallett, "The 'Incommensurability' of Values," *Heythrop Journal* 28 (1987) 373-387.

62. Finnis, *Moral Absolutes: Tradition, Revision, and Truth* (Washington, DC: The Catholic University of America Press, 1991).

63. Robert McKim and Peter Simpson, "On the Alleged Incoherence of Consequentialism," *New Scholasticism* 62 (1988) 349-352.

64. Finnis, "The Act of the Person," in *Persona, Verità, e Morale*, p. 172.

65. Bartholemew Kiely, "The Impracticality of Proportionalism," *Gregorianum* 66 (1985) 656-666.

66. In addition to the works by Grisez, Finnis, Kiely, Rhonheimer, Belmans, Lee, and Hoermann already cited in previous notes, see Servais Pinckaers, *Ce qu'on ne peut jamais faire: La question des acts intrinsèquement mauvais. Histoire et discussion* (Fribourg and Paris: Editions Universitaires and Editions du Cerf, 1986); John R. Connery, "Catholic Ethics: Has the Norm for Rule-Making Changed?" *Theological Studies* 42 (1981) 232-250; William E. May, "Aquinas and Janssens on the Moral Meaning of Human Acts," *Thomist* 48 (1984) 566-606.

67. On this, see the texts cited in notes 48, 50, 51, and 53 above. Also see Eric D'Arcy, *Human Acts: An Essay on Their Moral Evaluation* (Oxford and New York: Oxford University Press, 1963), pp. 18-25.

68. Sullivan, *Magisterium*, pp. 151-152.
69. On this, see Germain Grisez, "Moral Absolutes: A Critique of the View of Josef Fuchs, S.J." *Anthropos* (now *Anthropotes*): *Rivista di Studi sulla Persona e la Famiglia* 1 (1985) 170.
70. Fuchs, *Personal Responsibility and Christian Morality*, p. 129.
71. Grisez, "Moral Absolutes," 172.
72. Fuchs, "Naturrecht oder naturalistischer Fehlschluss?" 409, 420-422; Fuchs, *Christian Ethics in a Secular Arena*, p. 75; McCormick, *Notes on Moral Theology 1965-1980*, pp. 710-711.
73. Janssens, "Ontic Evil and Moral Evil," 144; "Norms and Priorities in a Love Ethic," 231.
74. Sullivan, *Magisterium*, p. 152; Karl Rahner, "Basic Observations on the Subject of the Changeable and Unchangeable Factors in the Church," *Theological Investigations*, Vol. 14 (New York: Herder and Herder, 1976), pp. 14-15.
75. *Gaudium et Spes*, n. 29; *Lumen Gentium*, n. 19.
76. *Lumen Gentium*, n. 13.
77. *Gaudium et Spes*, n. 29; *Lumen Gentium*, n. 13.
78. See, e.g., Robert Sokolowski, *Moral Action* (Bloomington, IN: Indiana University Press, 1985), p. 152; see also his *The God of Faith and Reason* (Notre Dame, IN: University of Notre Dame Press, 1982), pp. 62-63. Another version of this view is provided by Walter E. Conn, *Conscience: Development and Self-Transcendence* (Birmingham, AL: Religious Education Press, 1981), pp. 209-210.
79. On this, see Chapter One, above, pp. 24-25.
80. See above, notes 11-15.
81. See above, notes 17-18.
82. On fundamental option and the radical difference between ordinary free choices and fundamental option in the mind of revisionists, see, for instance, Josef Fuchs, *Human Values and Christian Morality* (Dublin: Gill and Macmillan, 1970), pp. 92-112, esp. 96-98.
83. The best critique of fundamental option theory that I know of is that given by Joseph M. Boyle, Jr., "Freedom, the Human Person, and Human Acts," in *Principles of Catholic Moral Life*, ed. William E. May (Chicago: Franciscan Herald Press, 1980), pp. 237-266.
84. Fuchs, *Human Values and Christian Morality*, p. 96.
85. *Gaudium et Spes*, n. 39.
86. *Apostolicam Actuositatem*, n. 5.
87. St. Thomas Aquinas, *Summa Theologiae*, 1-2, 100, 3, ad 1.
88. Grisez, *Christian Moral Principles*, p. 184.

89. That God is totally innocent of evil and only permits it is taught by the Council of Trent, Session VI, in *Enchiridion Symbolorum*, ed. Henricus Denzinger and Adolphus Schönmetzer (33rd ed.; Rome: Herder, 1983), n. 1556. For pertinent texts from St. Thomas and discussion, see Lee, "Permanence of the Ten Commandments," 455-456.

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## Appendix to Chapter Three

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# *St. Thomas and Moral Absolutes*

In Chapter Two, when we examined the thought of St. Thomas on natural law, we saw that he affirmed the truth of moral absolutes or specific norms proscribing as unconditionally contrary to natural law specifiable kinds of human actions. He held, as we saw, that the precepts of the Decalogue, which are immediate or proximate conclusions to the first and common principles of natural law, are moral absolutes. Even God, he held, cannot grant dispensations from them.<sup>1</sup>

Today many revisionists, among them Charles E. Curran, Louis Janssens, John Dedek, and Richard Gula,<sup>2</sup> claim that St. Thomas did *not* affirm the truth of moral absolutes. They claim that he understood the precepts of the Decalogue as “formal” norms, i.e., norms prohibiting actions *already described in morally evaluative terms*, such as *murder* or *unjust killing* or intercourse with the *wrong* person.<sup>3</sup> While acknowledging that St. Thomas affirmed the “transcendental” types of norms that they themselves accept as absolute — such principles as that “good is to be done and pursued and evil is to be avoided,” “one ought always act in accordance with right reason,” and “one must love God and neighbor” — they claim that he taught that derivative norms, such as those proscribing the deliberate killing of the innocent, are true “only for the most part,” i.e., they are useful generalizations but not universally true moral norms.<sup>4</sup> In addition, some claim that since Aquinas considered the end to be the formal element specifying the moral goodness or badness of a human act, it follows that for him an action really willed and done coherently for the sake of a good end must be morally good.<sup>5</sup> Finally, revisionist theologians Janssens and McCormick allege that a passage from St. Thomas’s *Quaestiones Quodlibetales* shows clearly that he recognized that an act which, materially considered, involves the deformity of some nonmoral evil, can be made right by circumstances in which the nonmoral goods achieved will outweigh the nonmoral evils involved and make the act to be morally right and good.<sup>6</sup> What is to be said of these claims by revisionist theologians?



To grasp properly the thought of St. Thomas and, in particular, his teaching on the absoluteness of the precepts of the Decalogue, it is essential to grasp the distinction he makes between human acts described in their “natural” species and human acts considered in their “moral” species. Only by understanding this distinction is it possible to appreciate his reply to such objections that the killing of innocent persons is at times morally permissible insofar as Abraham, a just and good man, was willing to sacrifice his innocent son Isaac. According to Aquinas, killing an innocent person, executing a convicted criminal, and killing an assailant in an act of self-defense are all, in their “natural” species, “acts of killing.”<sup>7</sup> But they differ in their “moral” species insofar as only the killing of an innocent person is an “act of killing” in the moral sense and as such morally wicked in itself (*secundum se*),<sup>8</sup> and contrary to the precept of the Decalogue prohibiting killing, whereas the killings involved in executing a convicted criminal and in defending oneself by the measured use of force against an unprovoked attack are partial aspects of actions that are morally good, specified morally by reason of the object of the will’s choice as acts of justice and legitimate self-defense and *not* as acts of killing.<sup>9</sup>

The basis for this distinction is that human acts, precisely as “human” or “moral,” receive their “forms” not from nature but from human intelligence, which places them in their moral species by discerning their “ends,” “objects,” and “circumstances.” Aquinas insists that *all* these factors must be morally good or in harmony with the precepts of natural law if the whole human act is to be good.<sup>10</sup> He holds that the end and the object are the primary factors giving a human act its moral species insofar as they are the primary realities willed by the agent. The end for whose sake an action is done is a primary source of an act’s moral species because humans, as intelligent beings, act in the first place only for the sake of an end.<sup>11</sup> The end is the “more universal form” (*forma magis universalis*) of the whole human act in the same sense in which a genus is said to be the “more universal form” with respect to its diverse species.<sup>12</sup> But the “object” of the external act chosen and commanded by the will is also a primary source of the moral species of the whole human act, precisely because this object is the object of an act of will or of choice. Since it is the “proximate” end that the acting person intends,<sup>13</sup> it must be good if the whole human act is to be good. Thus, for example, a person may choose to give alms to the poor. This is the “object” of an act of the will, for it is the object chosen and commanded by the will. And

giving alms is something good. But the end for whose sake one chooses to give alms must also be good — to help the poor, to give glory to God. If one gives alms in order to win praise, the act is morally vitiated by its end. But if one wishes to help the poor (a good end), one cannot choose evil means (an object) to do so. Thus alleviating the poor by embezzling money or by selling illegal drugs is morally wicked.

With these distinctions in mind, we find Thomas's position on the precepts of the Decalogue to be completely lucid. He holds that these precepts are absolute, or exceptionless. They are not mere formal norms or tautologies prohibiting actions already known to be "unjust," but specific norms proscribing identifiable sorts of human acts as absolutely immoral and contrary to the natural law. The moral objects of the acts identified by these precepts are specified descriptively as "killing the innocent," "coition with someone who is not one's own [i.e., one's spouse]," and "taking what belongs to another."<sup>14</sup> Aquinas teaches that *apparent* exceptions to these norms are in truth *different kinds of human acts, specified by different objects of human choice*. Thus, for St. Thomas, the object of Abraham's act, when he was willing to obey God's command to sacrifice his son Isaac, was not the "killing of an innocent person" but "the carrying out of God's just command." God's command changed the situation, not by voluntaristically dissolving the obligation of the norm that we are not to kill the innocent, but by creating conditions in which the object and hence moral species of Abraham's chosen act was *not* killing the innocent but executing God's justice.<sup>15</sup>

St. Thomas, therefore, affirms the truth of moral absolutes, namely, natural law precepts proscribing acts specified as morally bad by reason of their "objects," i.e., the intelligible subject matter upon which the will's act of choice bears. Among such absolutes are those proscribing the deliberate killing of the innocent, adultery, theft, and fornication.<sup>16</sup> Thus, when he encountered the view of the commentator on Aristotle's *Nicomachean Ethics* whom we know only as the "Old Scholiast" that adultery (sexual union with a tyrant's wife in this case) is morally permissible when done to save a nation from tyranny, St. Thomas immediately replies: "The Commentator is not to be followed in this; one ought not commit adultery for the sake of any good whatsoever."<sup>17</sup>

As already noted, Janssens and McCormick appeal to a passage in the *Quaestiones Quodlibetales* to prove that Aquinas taught that it is

morally right to intend a lesser nonmoral evil for the sake of a greater nonmoral good. They claim that in this passage he teaches that in some circumstances the nonmoral disvalue attached to some kinds of actions (e.g., killing), while remaining, is nonetheless justified by “outweighing circumstances.”<sup>18</sup> But in the passage to which they appeal, St. Thomas expressly says that, when the circumstances make the act right — and circumstances *can* change the moral species of an act *if and only if* they enter into the very “object” chosen<sup>19</sup> — the disorder or deformity of the act, rather than remaining as a “nonmoral evil,” is *totally taken away*: it is no longer present so that it cannot be cancelled out by “outweighing” circumstances.<sup>20</sup> To put it another way, the act includes no “nonmoral” evil that is counterbalanced by some greater nonmoral good. Its intelligible content — what is chosen — is something good, not bad. He illustrates this by referring to killing in self-defense. In legitimate self-defense the “object” of choice is not something evil but something good: the protection of one’s own life from unprovoked attack. The act that one chooses is not an act of killing but an act properly and legitimately called an “act of self-defense.” The death of the assailant, while foreseen, is not properly what one is setting out to do: it is not the “object” of one’s choice. Rather it is an unavoidable effect of the chosen act of self-defense, but an effect that is not directly and deliberately willed. More significantly, in the very same text St. Thomas says that there are some kinds of human acts that “have deformity inseparably annexed to them, such as fornication, adultery, and others of this sort, which can in no way be done morally.”<sup>21</sup> Apparently, this passage in the text escaped the notice of Janssens and McCormick, for they do not mention it. Yet it is a passage in which St. Thomas affirms what they deny: the truth of moral absolutes and the intrinsic evil of certain sorts of human acts as specified by their moral objects.

The presentation here makes it clear that St. Thomas, despite the claims of revisionist theologians, clearly taught that there are moral absolutes. His thought can be summarized as follows:

1. He teaches that there are acts that are “evil in themselves in their kind” (*secundum se mala ex genere*), which may never be done “for any good” (*pro nulla utilitate*), “in no way” (*nullo modo*), “in no event” (*in nullo casu*) — and gives examples of such acts in morally neutral terms: killing the innocent,<sup>22</sup> committing adultery in order to overthrow tyranny,<sup>23</sup> “putting forth falsehood.”<sup>24</sup>

2. He teaches that besides affirmative precepts (which bind general-

ly, *semper*, but not universally, *ad semper*), there are negative precepts which are valid and binding always and universally (*semper et ad semper*), e.g., “at no time is one to steal or commit adultery.”<sup>25</sup>

3. He everywhere rejects arguments attempting to solve “conflict” cases by identifying a state of affairs or effect which could seem to be a lesser evil (*minus malum*) than doing an act that is wicked in itself of its kind (*secundum se malum ex genere*).<sup>26</sup>

4. He teaches that it is a revealed truth that evil may not be done for the sake of good, even the highest and greatest good such as salvation.<sup>27</sup>

5. He teaches, as we have seen, that the precepts of the Decalogue, most of which are negative and binding always and universally (*semper et ad semper*) are, when properly understood, subject to no exceptions whatsoever, even by divine dispensation.<sup>28</sup>

The conclusion is evident: St. Thomas affirmed the truth of moral absolutes.

### **Notes for Appendix to Chapter Three**

1. See St. Thomas, *Summa Theologiae*, 1-2, 100, 8. See above, pp. 46-47.

2. Charles E. Curran, “Absolute Norms in Moral Theology,” in his *A New Look at Christian Morality* (Notre Dame, IN: Fides, 1968), p. 83; Louis Janssens, “Ontic Evil and Moral Evil,” *Louvain Studies* 4 (1972); John Dedek, “Intrinsically Evil Acts: An Historical Study of the Mind of St. Thomas,” *Thomist* 43 (1979) 385-413; Richard M. Gula, *Reason Informed by Faith: Foundations of Catholic Morality* (New York: Paulist Press, 1989), p. 292.

For a critique of Dedek, see Patrick Lee, “Permanence of the Ten Commandments: St. Thomas and His Modern Commentators,” *Theological Studies* 42 (1981) 422-443. For a critique of Janssens, see William E. May, “Aquinas and Janssens on the Moral Meaning of Human Acts,” *Thomist* 48 (1984) 566-606.

3. E.g., Dedek, “Intrinsically Evil Acts,” 408-409.

4. E.g., Richard A. McCormick, *Notes on Moral Theology: 1965-1980* (Lanham, MD: University Press of America, 1981), pp. 582-584, 767, n. 52. See Franz Scholz, “Problems on Norms Raised by Ethical Borderline Situations,” in *Readings in Moral Theology, No. 1: Moral Norms and the Catholic Tradition*, ed. Charles E. Curran and Richard A. McCormick (New York: Paulist Press, 1978), pp. 164-165.

Revisionist theologians constantly appeal to the passage in *Summa Theologiae*, 1-2, 94, 4, where St. Thomas speaks of norms that "valent ut in pluribus" but are subject to exceptions "ut in paucioribus."

5. Janssens, "Ontic Evil and Moral Evil," 125-126.

6. The text in question is *Quaestiones Quodlibetales*, 9, q. 7, a. 2. Janssens, "Norms and Priorities in a Love Ethic," *Louvain Studies* 6 (1978), 232; McCormick, "Moral Theology since Vatican II: Clarity or Chaos?" *Cross Currents* 29 (Spring, 1979) 21.

7. *Summa Theologiae*, 1-2, 1, 3, ad 3; see *In II Sent.*, d. 40, q. 1, a. 2, ad 4.

8. *Summa Theologiae*, 2-5, 64, 6.

9. *Ibid.*, 2-2, 64, 2, on execution of criminals as an act of justice; and 64, 7, on self-defense. Note that in 64, 7, Thomas says that if a private person deliberately intends the death of the assailant, the act, in its moral species, is changed from an act of self-defense into an immoral act of killing.

10. *Ibid.*, 1-2, 18, entire question.

11. *Ibid.*, 1-2, 18, 1-3.

12. *Ibid.*, 1-2, 18, 7c and ad 3.

13. *Ibid.*, 1-2, 20, 2.

14. *Ibid.*, 1-2, 100, 8.

15. For a detailed examination of relevant texts from St. Thomas on this matter, see Lee, "The Permanence of the Ten Commandments."

16. On killing the innocent, *Summa Theologiae*, 2-2, 64, 6; on adultery, *ibid.*, 2-2, 154, 8; on theft, *ibid.*, 2-2, 64, 5 and 6; on fornication, *ibid.*, 2-2, 154, 2.

17. *De Malo*, q. 15, a. 1, ad 15.

18. Janssens, "Norms and Priorities in a Love Ethic," 232; McCormick, "Moral Theology since Vatican II: Clarity or Chaos?" 21.

19. On this, see *Summa Theologiae*, 1-2, 18, 10.

20. *Quaestiones Quodlibetales*, 9, q. 7, a. 2: "aliae circumstantiae possunt supervenire ita honestantes actum, quod praedictae inordinationes totaliter evacuuntur."

21. *Ibid.*: "quaedam enim sunt quae habent deformitatem inseparabiliter annexam, ut fornicatio, adulterium, et alia huiusmodi, quae nullo modo bene fieri possent."

22. *Summa Theologiae*, 2-2, 64, 6.

23. *De Malo*, q. 15, a. 1, ad 5.

24. *Summa Theologiae*, 2-2, 69, 2.

25. *Ad Romanos*, c. 13, lect. 2; cf. *In III Sent.*, d. 25, q. 2, a. 1b, ad

3; *In IV Sent.*, d. 17, q. 3, a. 1d, ad 3; *De Malo*, q. 7, a. 1, ad 8; *Summa Theologiae*, 2-2, 33, 2; 79, 3, ad 3.

26. *In IV Sent.*, d. 6, q. 1, qua. 1, a. 1, ad 4; *Summa Theologiae*, 2-2, 110, 3, ad 4; 3, 68, 11, ad 3; 80, 6, ad 2.

27. *Summa Theologiae*, 3, 68, 11, ad 3.

28. *Ibid.*, 1-2, 100, 8; *In III Sent.*, d. 37, q. 1, a. 4.

CHAPTER  

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FOUR

# Sin and the Moral Life

According to Christian faith Christ came to save us from sin, and through participating in his redemptive death and resurrection we “die” to sin and rise to a new kind of life as members of the divine family, as adopted brothers and sisters of God’s Eternal Word.

But what is sin, and how does it affect our moral life? The purpose of this chapter is to present in some depth the meaning of *personal* sin. Thus, it will not be concerned with the reality of original sin, the sin that affects our lives as children of Adam and as a result of which concupiscence has entered into the human heart.<sup>1</sup> The major concerns of this chapter, therefore, are with (1) the core meaning of sin, (2) the distinction between mortal and venial sin and the basis of this distinction, and (3) the effect of sin on our moral life.

## **1. The Core Meaning of Sin**

The central meaning of sin is set forth in the Scriptures and in the Catholic theological tradition. I shall first examine the teaching of the Scriptures on sin and then discuss the understanding of sin in the Catholic theological tradition.

### **A. The Biblical Understanding of Sin<sup>2</sup>**

The story of the “fall” of Adam and Eve in Genesis 3.1-14 is a dramatic portrayal of the reality of sin and its essential features. Our protoparents deliberately violate a known precept of God (Gn 3.3-6). Their outward act of disobedience is an expression of their inner act of rebellion; they are moved to sin partially by suspicion about God’s love for them, partially by frustration over the limits to their liberty imposed by God’s precept, and partially by desire for the immediate good, “knowledge of good and evil,” promised by the performance of the sinful act. Their rebellious deed harms them (Gn 3.7) and alienates them from God, from one another, and from themselves (Gn 3.8-24). Faced with their sin, they try in vain to defend themselves with specious rationalizations (Gn 3.8-15), but nothing they can do can prevent the disastrous effects of their sin (Gn 3.14-24).

The idea that sin is a perverse revolt against God, so dramatically set forth in the story of the fall, is central to the Old Testament's understanding of sin. The Old Testament consistently regards sin as a wicked rebellion against the Lord (Nm 14.9; Dt 28.15), a contemptuous spurning of God (2 Sm 12.10; Is 1.4; 43.24; Mi 4.6). When seen from the perspective of God's covenant with his people, sin is recognized as an act of unfaithfulness and adultery (Is 24.5; 48.8; Jer 3.20; 9.1; Ez 16.59; Hos 3.1).<sup>3</sup> When viewed from the perspective of divine wisdom, sin is branded "foolishness" (Dt 32.6; Is 29.11; Prv 1.7). Seen from the perspective of God's holiness, sin is an "abomination" (Lv 16.16; 18.26; Jgs 20.6).

In some passages — for instance, that telling of Uzzah's death for reaching out to touch the ark of the covenant (2 Sm 6.6-7) — sin is somewhat primitively described as the violation, however unintended, of a taboo. But this way of conceiving sin in the Old Testament is very rare. The consistent teaching of the Old Testament is that sin is rooted in human freedom and consists in an abuse of God's gift of free choice (Sir 15.11-20). Sin springs from the "heart" of a person, and as such is an act involving a personal, inner, and enduring wrong (1 Sm 16.7; Jer 4.4; Ez 11.19; Ps 51), a view of sin reaffirmed most clearly in the New Testament (Mt 7.20-23 and par.).

Both Testaments use a rich vocabulary to describe the reality and evil of sin. The three most common words used in the Old Testament to designate sin are *hāṭṭā*, *pesha*', and *'awōn*. *Hāṭṭā*, which literally means "missing the mark," stresses that sin is a willful rejection of God's known will. *Pesha*', meaning "rebellion," shows how, in sinning, human persons reject God and his love. *'Awōn*, meaning "iniquity" or "guilt," refers to the way sin twists and distorts the sinner's inner being. In the New Testament the principal terms used to refer to sin are *harmatia* and *harmatēma*, *anomia*, *adikia*, and *skotos*. *Harmatia* and *harmatēma* are like the Old Testament *hāṭṭā*, and designate sin as a freely chosen deed casting aside God's loving norms for human life. *Anomia* or "lawlessness" was frequently used in the singular to stress that sin consists in a spirit of rebellion and contempt for God and his law. *Adikia*, "injustice," emphasizes that sin is a refusal to accept God and his reign revealed in Christ and to live in the justice that God has given. *Pseudos*, "falsehood," and *skotos*, "darkness," show that sin is an opposition to the truth of God, to Jesus Christ, who is the way, the truth, and the life, to one's fellowmen, and to the truth of being a human person.<sup>4</sup>



Psalm 51, the “Miserere,” beautifully summarizes Old Testament thought on the reality and evil of sin. The first verses of this psalm — in which David prays for forgiveness of his sins of adultery with Bathsheba and of having her husband, Uriah, killed — draw together the Old Testament view of sin in a fascinating way. “Have mercy on me, O God, according to your unfailing love; according to your great compassion blot out my transgressions (*pesha'*). Wash away all my iniquity (*'awōn*), and cleanse me from my sin (*hāttā't*). For I know my transgressions (*pesha'*), and my sin (*hāttā't*) is always before me. Against you, you only, have I sinned (*hātā'*), and done what is evil (*ra'*) in your sight” (Ps 51.1-4). Note how David uses all of the principal Old Testament words to identify his sin. By his sins of adultery and murder he had rebelled against God’s precepts, deviated from the path they marked out, and made himself wicked and hateful to the Lord. Also note how David acknowledges that sin is a terrible evil precisely because it offends God (“against you, you only, have I sinned”). In saying this, David in no way denies that his sins of adultery and murder were grave affronts to Uriah, but he is stressing that sin is essentially a base affront to God, whose holy will and loving plan for mankind — a will and plan concerned only with the true good of human persons (see Dt 6.24) — is the norm for human action. Finally, in this prayer of repentance David begs the Lord to create in him a new heart, to heal him of his sin (Ps 51.20). In so praying he stresses another major biblical teaching on sin, namely, that only God can forgive sin and bring the sinner back to life.

The Scriptures understand sin to be essentially an offense against God. Nonetheless, sin does not hurt or harm God in his inner being, for God as the wholly transcendent One can in no way be harmed by the actions of his creatures. Rather, sin harms the sinner (Jb 35.6; Is 59.1-2; Jer 7.8, 19). Still, sin does wound God in his “image,” i.e., in the human persons he has made to share in his life. Inasmuch as it is a refusal by sinners to let themselves be loved by God, sin in a certain sense, as the biblical scholar Stanislaus Lyonnet has observed, harms the “God who suffers from not being loved, whom love has, so to speak, rendered ‘vulnerable.’”<sup>5</sup>

The New Testament takes up and deepens these Old Testament themes on the reality and evil of sin. Because of its more profound grasp of the loving intimacy that God wills to share with his children, the New Testament deepens the Old Testament understanding of sin as separation from God. The Father so loves us that he sends his only-

begotten Son to be with us and for us, actively seeking to reconcile sinners with himself, loving sinners even while he is being repudiated by them. Thus sin is seen as a refusal of the Father's love (Lk 25), a refusal rooted in the heart, in the free, self-determining choice of the sinner to reject God's offer of grace and friendship. Just as light and darkness have nothing in common, so neither do the life offered to us in Christ and the iniquity of sin (2 Cor 6.3; 1 Jn). Jesus and the devil, belief and unbelief, God and idols are absolutely opposed; so too are uprightness and iniquity (2 Cor 6.15-16).

In the New Testament the concept of sin is closely linked to the concept of conversion. Jesus begins his public life by calling people to repentance (Mk 1.4, 15; Mt 3.7-10; Lk 3.7). As the biblical scholar Johannes Bauer observes, "this presupposes that the men to whom [Jesus' preaching] is addressed have already *turned away* from God. It is precisely in this turning away from God that sin consists. It is disobedience to God (Lk 15.21) and lawlessness (Mt 7.23; 13.41)."<sup>6</sup> Just as we turn to God and cleave to him through the act of conversion, so by sinning we turn away from him.

Another point brought out in the New Testament teaching on sin is that we are lost and slaves to sin without God's help. Left to our own resources we cannot live long without sin, for it is God who guides us on the path of righteousness (cf. Rom 1—5). If we abandon God through sin, we are like the prodigal son and the lost sheep in the parable of Luke's gospel (Lk 15). But God is our Friend, our Savior, our Redeemer. The very name *Jesus* means salvation, for he is the one sent by the Father to redeem us and to reconcile us to the Father.

The New Testament, in particular the Pauline and Johannine traditions, frequently tends to shift focus from individual sinful acts (*harmatiai*, *harmatēmata* in the plural) to sin as such (*hē harmatia*, *hē adikia*, *hē anomia*, in the singular). According to the gospel of John, Christ has come to take away the *sin* of the world (Jn 1.29; see also 1 Jn 3.5). As Bauer puts it: "Jesus takes all the sins — that is — the debt of sin — upon himself in order to lead the world home from its state of separation from God. In John the nature of sin as a state of being sundered from God finds its clearest expression. Jesus, who is one with God, is *without* sin (Jn 8.46). He is the light and the sinners are darkness (Jn 3.19). He is always heard by God, whereas God does not hearken to sinners (9.31). For this reason John refers to sin simply as *anomia* (lawlessness, godlessness) (1 Jn 3.4), that which places man in constant opposition to the will of God. . . . The gospel [of John] has

the same message to convey (8.34): The sinner is a son of Satan: 'You are of your father, the devil' (8.44)."<sup>7</sup>

The same is true of the Pauline literature. Paul treats sin not only as an act but as the common human condition. Without excusing anyone — for sin is a deliberate, willful act — he presents a world in which sin reigns and is overcome only by the reign of Christ and complete submission to him (Rom 5—8). Paul sees in sin a power that has entered into human persons by their voluntary submission to it, ruling in their "flesh" as a kind of pseudo-law. In short, while it in no way minimizes the evil of sinful actions, the New Testament stresses that sin is the unitary reality of one's state of alienation from God, a state brought into being by the individual's many wicked deeds. Sins are sins because they give rise to, prolong, and express life apart from God. The good news of the gospel is that God himself has come to visit his people, to call them to conversion, to reconcile them to himself. He does this by the death-resurrection of Jesus, a saving act in which all men can share by dying to sin in baptism and rising to a new kind of life made possible by God's only-begotten Son's redemptive deed and by the gift of the Holy Spirit, who will be with this re-created people, to lead them along a path of righteousness and honor.<sup>8</sup>

## **B. The Understanding of Sin in the Catholic Theological Tradition**

One way of grasping the understanding of sin in the Catholic theological tradition is to begin with St. Augustine's famous definitions of sin and reflect on them in the light of what St. Thomas, other theologians, and the magisterium have had to say about this subject matter. Two definitions of sin advanced by St. Augustine have become classic. The first says that sin is "anything said, done, or desired contrary to the eternal law."<sup>9</sup> The second defines sin as a "turning away from God and a turning toward the creature."<sup>10</sup>

Some contemporary theologians do not look too favorably on Augustine's first definition of sin. The attitude common to many theologians today is reflected in the following passage from Philip S. Keane, S.S.: "Many traditional moral textbooks defined sin as the breaking of God's eternal law. Moral theologians today do not dispute the fact that we humans need laws or rules, nor do they dispute the fact that when sin takes place, laws are very often broken. What moral theologians do question today is whether lawbreaking should be understood as the most central or formal element in the definition of sin.

A very significant percentage of moral theologians [today] would assert that it is inadequate to hold that the essence of sin is breaking God's law."<sup>11</sup>

Evidently Keane and the theologians whose ideas he articulates (Curran, Häring, McCormick, and others) fear that this Augustinian definition of sin is, or at least seems to be, too "legalistic," insofar as it sees sin as basically the infraction of some externally imposed norm. And the repudiation of "legalism" by these theologians is quite justified. Moral principles and norms are not arbitrary rules imposed upon human liberty: they are rather *truths* in whose light good choices can be made. But if we keep in mind the traditional Catholic understanding of "law" as a wise and loving ordering of human persons to the goods — and the Good — perfective of them, we can see the good sense of this Augustinian definition of sin. Here it is worth recalling the teaching of Vatican Council II that was reviewed in Chapters One and Two. There we saw that the Council Fathers, recapitulating the thought of Augustine, Thomas, and others, taught that "the highest norm of human life is the divine law — eternal, objective, and universal — whereby God orders, directs, and governs the entire universe and all the ways of the human community by a plan conceived in wisdom and love." Continuing, the Council said, "Man has been made by God to participate in this law, with the result that, under the gentle disposition of divine providence, he can come to perceive ever more increasingly the unchanging truth" (*Dignitatis Humanae*, n. 3; cf. *Gaudium et Spes*, nn. 16-17). We saw further, in Chapter Two, that the natural law is the way in which human persons "participate" in God's divine and eternal law. Through the natural law, human persons come to an ever deeper understanding of what they are to do if they are to be fully the beings God wills them to be. In short, the eternal law is God's wise and loving plan for the good of human persons, and so great is his love and respect for them that he has made them able to share actively in his loving and wise plan so that they are not only ruled and measured by it but are inwardly capable of shaping their choices and actions in accordance with its truth.<sup>12</sup>

When "eternal law" is understood in this nonlegalistic way, we can understand how sin is, in essence, a morally evil act, i.e., a freely chosen act known to be contrary to the eternal law as this is made manifest in our conscience (*Dignitatis Humanae*, n. 3; *Gaudium et Spes*, n. 16). As morally evil, the freely chosen act is deprived of the goodness it can and ought to have.<sup>13</sup> As an evil or privation in the

moral order, the sinful act blocks the fulfillment of human persons on every level of existence, harming and twisting the person in his or her depths (*Gaudium et Spes*, n. 27), damaging human community, and rupturing the relationship that God wills should exist between himself and humankind (see *Gaudium et Spes*, n. 13).

Understood as a freely chosen act of self-determination opposed to the eternal law, sin is an act deprived of the openness it can and ought to have to the full good of human persons, the good to which they are directed by God's eternal law, for, as St. Thomas has said so well, "God is not offended by us except in so far as we act against our own good."<sup>14</sup> Sin, in other words, is a deliberately chosen act known to violate the basic norm of human activity, namely, that such activity, "in accord with the divine plan and will, should harmonize with the authentic good of the human race, and allow men as individuals and as members of society to pursue their total vocation and fulfill it" (*Gaudium et Spes*, n. 35).

God's eternal law, his wise and loving plan for leading human persons to their fulfillment, is known, in some measure at least, even by unbelievers, for its basic requirements are, as St. Paul taught, written in their hearts (Rom 1.18-22). Less metaphorically put, the requirements of God's eternal law are, as Vatican Council II clearly taught, made known to men and women through the mediation of conscience (*Dignitatis Humanae*, n. 3; *Gaudium et Spes*, nn. 16-17). Thus a person who knowingly acts contrary to the truth made known in conscience always deviates from the loving plan of the eternal law and in this way offends and opposes God;<sup>15</sup> and, as St. Thomas says, it is precisely from the perspective of its nature as an offense against God that sin is considered in theology.<sup>16</sup> Indeed, St. Thomas held that even the unbaptized are able, by virtue of their power of self-determining free choice and with the help of God's unfailing grace, to accept God and his law of love or to repudiate him and his law in their first fully human act of self-determining free choice.<sup>17</sup> In other words, it is right and proper to define sin as anything said, done, or desired contrary to the eternal law.<sup>18</sup> The substance or matter of the sin is the word, deed, or desire; what makes these to be *sin*, i.e., what constitutes the chosen word, deed, or desire as sinful is the fact that the person, by freely choosing (willing) what he or she knows to be contrary to God's loving plan, gives to himself or herself the *identity* of one opposed to this loving plan, i.e., a sinner. For the faithful, moreover, God's eternal law is made known not only through the mediation of conscience en-

lightened by reason but also through the mediation of the revealed and saving truth proclaimed by the Church and accepted in faith. Believers know, or ought to know, that their freely chosen immoral acts not only violate God's loving plan for human existence but also viciously repudiate his offer of life and love. Thus sin, as an offense against God, takes on a special heinousness for the faithful: it is an act of ungrateful infidelity — and it is for this reason that the prophets regularly compared sin to adultery. By sinning, Christians exchange the life of freedom won for them by Christ for renewed death and slavery (cf. Rom 6 and Gal 5). In addition, since the Christian is irrevocably, for weal or woe, a member of Christ's body the Church by reason of baptism (cf. 1 Cor 6), there is an ecclesial element or aspect to every sin of a Christian: sin violates the Christian's responsibility to Christ and to the Church (cf. Rom 14.7-8; Gal 5.13—6.10).

The second Augustinian definition of sin as a "turning away from God and a turning toward a creature" brings out further dimensions of sin. This definition emphasizes that sin has a twofold aspect, one positive — the turning toward a creature — and the other negative or, more precisely, privative — the turning away from God. Nonetheless, because of the strong Neoplatonic influence on St. Augustine, this definition needs to be made more precise. Augustine did not, it can be argued, properly appreciate the intrinsic worth of created goods and the role they have to play in God's plan in fulfilling human persons. Unlike Aquinas — and, I should add, Vatican Council II (cf. *Gaudium et Spes*, nn. 38-39) — who regarded such created goods as life, knowledge, beauty, and harmonious relationships with others and with God and the like as "ends" or "points" of human existence, subordinate, of course, to the Uncreated Good that God is,<sup>19</sup> Augustine seems to have looked upon such goods as mere "means" to the final end, God. God alone, who is the highest and incommutable good, was, for Augustine, to be "enjoyed"; all created goods, even those intrinsically perfective of human persons, were to be "used." Augustine's thought here, it seems to me and to others, needs to be corrected; the truth of his definition is better expressed if we say that sin is a turning away from God and an *inordinate* or *unmeasured* turning toward a creature.

The turning away from God, as already noted, is the privative aspect of sin, the aspect that makes the sinful choice to be evil or deprived of the goodness it can and ought to have. This same privative aspect was identified in the first Augustinian definition of sin as the

violation of God's eternal law; here this privative aspect is specified as an aversion from God himself. The turning toward the creature is the positive element in the sin, for this designates the "good" that entices the sinner and makes the sinful alternative attractive and choosable.

This definition of sin is rich in meaning. No one, as St. Thomas observes, does evil purely for the sake of evil.<sup>20</sup> When we do things that we know are wicked and sinful, that we know are opposed to God's law of love, we are not acting irrationally, for we are seeking to participate in some appealing good. Again, as St. Thomas perceptively notes, the turning away from God and the setting aside of his law of love is not precisely what the sinner is setting out to do in sinning. It is not as though we say to ourselves, "I am going to harden my heart against God." The privative aspect of the sin, in other words, is not the final aim or point of our intentional action; our intent, at least in the sense of our ulterior end in acting, is rather the participation in some appealing good. Thus, the sinner need not "intend," in one of the senses of that term, to offend God and to turn aside from him.<sup>21</sup> The sinner may only be seeking to gratify himself.<sup>22</sup> He may, of course, be willing to turn away from God as a *means* to this gratification; and he surely "intends" to do what he knows is opposed to God's law of love as a *means* to the good in which he seeks to participate. And this is the precise point. The sinner's choice can and ought to be compatible with love of God; it can and ought to conform to the requirements of God's law, the law that directs us to love God above all else and to love our neighbor as ourselves. But the sinner chooses to act in a way he knows is not compatible with this kind of love. He recognizes that choosing to pursue this particular created good here and now necessarily demands that he close his heart, his person, to God's all-encompassing love. Because of this recognition, he realizes that his pursuit of this particular created good here and now means putting love for it ahead of his love for God and neighbor. It is in this way that the sinner "turns away" from God and puts in the place of God some created good.<sup>23</sup>

Reflection on these two Augustinian definitions of sin has revealed something of sin's significance as a contemptuous rebellion against God. But in order to grasp its reality and terrible evil more fully, some observations about the inner core of sin and its social and ecclesial dimensions are needed.

The core of the sinful act is the free, self-determining choice whereby the sinner gives to himself or herself a moral identity — that, namely, of a sinner. As our Lord makes clear, sin flows from the heart,

i.e., from the inner core of a person as a free and responsible being: "For from the heart come evil intentions: murder, adultery, fornication, theft, perjury, slander. These are the things that make a man unclean" (Mt 15.18-19). The external behavior flows from our free choice, and while the external behavior comes and goes, the *being* that we give to ourselves through the free, self-determining choice to engage in this behavior (e.g., adultery) abides within us as part of our identity, our character. As St. Thomas notes (and as we saw in Chapter One), human action is immanent, not transitive; i.e., it abides within the agent either to fulfill or perfect the agent, if it is morally upright and in accord with God's loving plan, or to damage and harm the agent, if it is morally bad and sinful.<sup>24</sup> Because the inner core of sin is a free, self-determining choice that abides within the person, the reality of sin, traditionally termed the "guilt" or "stain" of sin, remains within the sinner.

In short, we make ourselves *to be* the persons we are by the choices that we freely make. In every sinful choice we make ourselves to be sinners and guilty in the sight of the Lord.<sup>25</sup> This perduring of sin within the sinner is what is meant by the "state" of sin or condition of sinfulness. Jesus summons us to recognize our sinfulness and to have a change of heart, a *metanoia*, a conversion, which consists in a new self-determining choice whereby, in response to and with the help of God's unfailing and healing grace, we give to ourselves the identity of repentant sinners, of persons who have been reconciled to God. Sin persists in the being of the person who sins, and one morally evil commitment can lead to many morally wicked acts insofar as through the free choice to sin one has disposed oneself to act sinfully. To put this another way: sin is not simply deviation in isolated pieces of external behavior; it is evil in the existential domain and extends to all that exists by or is affected by sinful choices.

In addition, when the sinner is a baptized person, there is, as was already noted, an "ecclesial" element in sin — the sinner's sin affects not just the sinner but the whole Church. Through baptism we become one body with Jesus, members of his body, the Church. Thus, as St. Paul stressed so dramatically in 1 Corinthians 6, when a Christian has sex with a whore he joins to her not only his own body but the body of Christ as well; his sin is not only one of impurity but also one of defiling the Church. There is thus a sacrilegious aspect to the sinful choices of those who have, through baptism, become one body with Christ.

All this helps us to see the social significance of sin. The sinful



choices of individuals, when tolerated and accepted by the society in which they live, soon become the practices of the society. They become embedded in its laws and customs, its way of life, its way of mediating reality to its people. Thus it is right to consider sin social as well as personal. But we must keep in mind that every social sin originates in — and is perpetrated by — individual persons' sinful choices. Particular persons, as Pope John Paul II has emphasized, are responsible for initiating and maintaining such social evils as the oppression of minorities, unjust wars, the manipulation of communications, etc.<sup>26</sup>

Moreover, while sin is the result of the abuse by created persons of their gift of freedom, "deep within its human reality," Pope John Paul II has reminded us, "there are factors at work which place it beyond the merely human in the border area where man's conscience, will, and sensitivity are in contact with the dark forces which, according to St. Paul, are active in the world almost to the point of ruling it."<sup>27</sup> It is for this reason that only God, the one from whom we turn away in choosing to sin and the one whose loving law we freely choose to cast aside, can rescue us from this dread evil; and, in his mercy, he has chosen to do so by sending us his only-begotten Son who, by fully accepting our humanity and by his redemptive death-resurrection, has conquered sin and its power over us.

## ***2. The Distinction Between Mortal and Venial Sin***

The understanding of sin developed in the previous pages applies properly only to what the Catholic tradition has come to call "mortal" or deadly or grave sin (there is, as we shall see, some difficulty in restricting the definition of sin as "anything said, done, or desired contrary to the eternal law" to mortal sin). This understanding, in other words, is realized fully only in the sort of sin whereby human persons cleave inordinately to some created good to the point that they put this good in the place that God is to have in their hearts. It is the sort of sin whereby human persons truly rebel against God and die to divine life, to friendship with God, opposing themselves, by their own free and self-determining choice, to his love and his law.

But do human persons so oppose themselves to God in every immoral act? Common sense and the Catholic theological tradition hold that some immoral acts are not "mortally" sinful, i.e., so opposed to God's law and love that they destroy friendship between God and human persons. Such immoral acts are called "venial" sins, and the

core meaning of sin as previously set forth applies to them only analogically. There is, in short, a basic distinction to be made between “mortal” and “venial” sins.

### **A. Biblical and Magisterial Sources for This Distinction**

The Scriptures do not formally distinguish between mortal and venial sins, but both Testaments clearly bear witness to this distinction. The Old Testament required an expiatory offering for sins of human weakness and inadvertence (see Lv 4-5), but it taught that other sins are crimes against the covenant community and God. Atonement for such sins could not be made by an expiatory offering; these sins were punishable by death or by cutting the sinner off from the community (see Lv 7.25; 17.8-10, 14; 19.7-8). In the New Testament Jesus sharply distinguishes between the “beam” in the hypocrite’s eye and the “mote” in the eye of the hypocrite’s brother (Mt 7.5), and it is evident that our Lord considers the hypocrite’s sin far graver than the sin of the one whom the hypocrite criticizes. Moreover, in the prayer Jesus taught his disciples, he asks them to beg forgiveness for their daily “debts” or transgressions (Mt 6.12; Lk 11.4), while he threatens others with hell’s fire for their sins (Mt 23.33). The epistles distinguish between the daily sins of which even those regenerated in baptism can be guilty and those offenses which exclude one from the kingdom of heaven (contrast Jas 3.2 and 1 Jn 1.8 with 1 Cor 6.9-10 and Gal 5.19-21). They also speak of sins that lead to death (Rom 6.16) and call for excommunication from the community (1 Cor 5.13). Of special interest is a passage in First Corinthians in which St. Paul says that people build differently on the foundation that is Jesus Christ. Some build with gold, silver, and jewels, while others build with wood, hay, or straw. On judgment day each one’s work will be tested; one whose building burns because of its poor material can be saved, but only through fire. Others, however, have utterly destroyed God’s temple by severing themselves from Jesus; they will be destroyed, not saved (1 Cor 3.10-17). This passage is of special interest because a long theological tradition, beginning with the Fathers and continuing through such medieval theologians as St. Bonaventure and St. Thomas Aquinas, considered it a source for the distinction between mortal and venial sin.<sup>28</sup>

The authoritative teaching of the magisterium also bears witness to the distinction between mortal and venial sin. The Council of Orange (A.D. 529), rejecting Pelagianism, taught that even the upright Christian

is guilty of sin (DS [Denzinger-Schönmetzer] 229-230). The Council of Trent in the sixteenth century taught that not all sins deprive one of God's grace; some are venial (DS 1537); the same Council required Catholics to seek the forgiveness of God and the Church through sacramental confession of all mortal sins of which they are aware, whereas such confession is not required of venial sins, although it is recommended (DS 1679-1681). This teaching of Trent on the distinction between mortal and venial sin was reaffirmed by the 1983 Synod of Bishops and by Pope John Paul II in his apostolic exhortation *Reconciliatio et Poenitentia*.

The observations of Pope John Paul II relative to the distinction between mortal and venial sin in this document need to be noted. He first summarizes the biblical testimony (as noted previously here) relevant to this distinction. He then provides a brief summary of the views of Augustine and Aquinas on the subject, and then concludes by saying: "With the whole tradition of the Church, we call mortal sin the act by which man freely and consciously rejects God, his law, the covenant of love that God offers, preferring to turn in on himself or to some created and finite reality, something contrary to the divine will (*conversio ad creaturam*). This can occur in a direct and formal way in the sins of idolatry, apostasy and atheism, or in an equivalent way as in every act of disobedience to God's commandments in a grave matter. Man perceives that this disobedience to God destroys the bond that unites him with his life principle. It is mortal sin, that is, an act which gravely offends God and ends in turning against man himself with a dark and powerful force of destruction."<sup>29</sup>

### **B. The Classical Theological Understanding of This Distinction**

The classical theological understanding of the difference between mortal and venial sin has been articulated most fully and clearly by St. Thomas Aquinas. With the Fathers of the Church he stressed that mortal sin is irreparable by human power — only God can save us from the spiritual death caused by mortal sin. Venial sin, on the other hand, can be healed from a source within the sinner. What accounts for this difference? According to St. Thomas, the principle of our moral-spiritual life is charity or the love of God, whereby we are ordered to him as our final end. If charity within the person is lost, there is no inner source within the person to repair the harm he or she has done in sinning. Mortal sin destroys charity or the principle of our moral-spiritual life. As St. Thomas put the matter: "those acts are of their

kind mortal sins through which the covenant of friendship between man and God and between man and man is violated; for they are contrary to the two precepts of *charity, which is the life of the soul*<sup>30</sup> (emphasis added).

If charity or love is lost, only God can bring the sinner back to life. Thus the sin whereby this love is destroyed is properly called *mortal* or deadly.

But St. Thomas held (and in doing so summarized the thought of the Fathers and earlier medieval theologians) that the principle of our moral-spiritual life, charity, is not destroyed by some kinds of immoral acts. Since charity is not lost by such immoral deeds, there abides within the sinner himself or herself a healing principle, namely, charity or love, and the person can repent of such immoral deeds by reshaping his or her life in accord with this principle. Such sins, called venial because they are "pardonable," are like bodily diseases which can be overcome by the body's inherent vitality, while mortal sins are like lethal bodily diseases that will surely lead to death unless there is saving intervention from some extrinsic source or principle.<sup>31</sup> By sinning mortally, in other words, a person fully turns away from God toward a creature and erects a created good as, here and now, his end. By sinning venially, on the other hand, one does not turn away from God, even though there is some disordered attachment to a created good. All this seems quite sound.

But St. Thomas also maintained that venial sin, which can be called "sin" only in an analogous and derivative sense, is not "against the law" (*contra legem*), "since one who sins venially does not do what the law forbids or fail to do what it requires by a precept; but such a sinner behaves apart from the law (*praeter legem*) by not keeping to the reasonable mode which the law points out."<sup>32</sup>

St. Thomas's position here, namely, that venial sin is not "against the law" but merely "apart from the law," seems difficult to sustain. While it is true that only mortal sin fully turns us away from God, our last end, it is hard to understand why venial sins are simply "apart from the law" (*praeter legem*) and not "against the law" (*contra legem*). The immorality involved in filching a newspaper from a rack is surely "against" the precept that we ought not to steal. Nonetheless, the main thrust of St. Thomas's thought is clear. Venial sin, while morally evil, does not mean acting in a way that separates us from the love of God, that cuts us off from the ultimate end (God) to which we are directed by God's eternal law.<sup>33</sup>

According to St. Thomas, three conditions are required if a sin is to be mortal or opposed to the love that God pours into our hearts. These are grave matter, sufficient reflection, and full consent of the will.<sup>34</sup> Sins venial by reason of insufficient reflection or lack of full consent are called by St. Thomas sins venial "in their cause," i.e., in the person responsible for them. Such venial sins do not have a determinate kind. Thus, offenses which of themselves are grave, for instance, blasphemy or adultery, can be "venial" (pardonable, reparable) if they are done by a person who is confused or ignorant about what he or she is doing or whose choice is not adequately free. Other sins, Aquinas taught, are venial by reason of their "object" or subject matter, in contrast to others that are of themselves gravely or mortally sinful. His position, which summarizes well the thought of his predecessors, subsequent theological tradition, and the teaching and pastoral practice of the Church, is that some kinds of human acts are known to be incompatible with the love that should exist between human persons and God and within human society. Thus, for example, blasphemy and idolatry are simply not reconcilable with love of God, while murder, adultery, and the like are completely opposed to love of one's neighbor. Such acts, when freely chosen with adequate knowledge about what one is doing, are mortally sinful. Other kinds of human acts entail some moral disorder, but are not themselves destructive of love of God or neighbor, e.g., aimless chattering, telling a lie that does not harm anyone, etc. These are the "matter" or "object" of venial sin.<sup>35</sup>

St. Thomas identifies grave matter with actions whose "object" is deliberately opposed to love of God and neighbor — the bond of charity that is, as Thomas says, the "life of the soul."<sup>36</sup> This seems to be a good criterion for distinguishing between mortal and venial sins. Yet there is a problem. Why is it that some actions that are morally evil do not constitute grave matter? Charity, after all, is love of divine goodness; but every morally evil act seems incompatible with this love and opposed to it. Similarly, charity is love of one's neighbor and a willingness to serve the neighbor's need. A small lie to my wife, e.g., telling her that I have mailed a letter she asked me to when I forgot (intending to mail it as soon as possible), seems to violate this love and to be opposed to the charity that should unite me to her. The problem here is similar to the one we saw previously, when venial sin was described as a morally evil deed that was "apart from the law" but not "against the law." In other words, the position taken by St. Thomas that some moral evils constitute "light" matter insofar as they are com-

patible with love of God and neighbor and hence are the “stuff” of venial or pardonable sin whereas others constitute “grave” matter because of their incompatibility with such love and thus give rise to mortal sins seems reasonable, but there are some perplexities that remain and need to be resolved.

### C. Fundamental Option Theories and the Distinction Between Mortal and Venial Sin

In attempting to account for the difference between mortal and venial sin several contemporary theologians — among them some of the most influential, such as Karl Rahner and Josef Fuchs — have developed the notion of “fundamental” or “basic” freedom and the significance of this freedom for understanding the reality of mortal sin. To understand their position it is necessary, first of all, to have an accurate idea of what they mean by basic or fundamental freedom. The descriptions of this freedom provided by several advocates of the notion will be helpful here.

One leading proponent of the view, Josef Fuchs, has this to say about “basic” or “fundamental” freedom: “Basic freedom, on the other hand [as contrasted with freedom of choice], denotes a still more fundamental, deeper-rooted freedom, not immediately accessible to psychological investigation. This is the freedom that enables us not only to decide freely on particular acts and aims, but also, by means of these *to determine ourselves totally as persons* and not merely in any particular area of behavior”<sup>37</sup> (emphasis added).

Another proponent of the view says that “there is another dimension to freedom. It is *not* the freedom of choice to do a particular thing or not, a choice of specific objects. It is rather the *free determination of oneself* with regard to the totality of existence and its direction. It is a fundamental choice between love and selfishness, between self and God our destiny. This is often called by recent theologians the fundamental option, an act of fundamental liberty”<sup>38</sup> (emphasis added).

Still another advocate puts the matter this way: “According to this theory man is structured in a series of concentric circles or various levels. On the deepest level of the individual, at the personal center, man’s freedom decides, loves, commits itself in the fullest sense of these terms. This is the center of grave morality where man makes himself and his total existence good or evil.”<sup>39</sup>

These descriptions of fundamental or basic freedom enable us to grasp the essential features of fundamental freedom as proposed by

many contemporary theologians. Joseph Boyle has accurately summarized these features, and it will be helpful to look at his summary. Boyle writes: "First of all, it [fundamental freedom] is exercised at the very core of the human person; thus it is the locus of self-determination and hence of basic moral responsibility. Second, it does not have as its object any particular action or set of actions, but rather its object is the entire self in its relationship to God. Third, the exercise of fundamental freedom is not an action in any normal sense of the word. Something like an option or preference is involved, but this preference is more like a stance or attitude than an act of choosing. Furthermore, there is no explicit awareness of a time when one took one's fundamental stance. . . . It is none too clear exactly what the relationship between free choice and the exercise of fundamental freedom is, but it is clear that one can choose freely in a way inconsistent with the exercise of one's fundamental freedom without altering the fundamental stance established by this freedom."<sup>40</sup>

How is the notion of fundamental freedom related to the distinction between mortal and venial sin? Proponents of fundamental option maintain that a sin is "mortal" only when there is a fundamental option against God and his love (or against some other Ultimate). Mortal sin, in other words, involves the exercise of fundamental or basic freedom. The distinction between grave and light matter is relevant to the distinction between mortal and venial sin insofar as grave matter, according to the proponents of fundamental option, is the sort of thing likely to be an *occasion* for making or reversing one's fundamental option. Actions not likely to change one's fundamental disposition toward or against God are "light" matter. "Grave" and "light" matter can be used to name not only morally evil acts but also morally good ones. Some morally good acts are of "grave" import while others are not.

While grave matter — for instance, killing an innocent person or committing adultery — provides an appropriate *occasion* for reversing or confirming one's fundamental option through an exercise of fundamental freedom, it does not necessarily follow, according to the theologians who hold this position, that a particular act of this kind necessarily entails a repudiation of one's basic commitment to love God and neighbor. Still, proponents of this view recognize that one *can* change one's stance before God in particular acts of free choice. In other words, according to the proponents of fundamental option theory, grave matter is a "sign" that one's fundamental freedom may be at stake. Nonetheless, according to its advocates, one could freely

choose to engage in an act that one knows involves grave matter, e.g., committing adultery or deliberately killing an innocent human being, and still not violate one's fundamental option toward God (or some Ultimate). Thus advocates of this position frequently distinguish between three kinds of sin: venial, in which only light matter is involved or in which one's freedom of choice is inhibited or one's knowledge is not clear; grave sins, which entail grave matter knowingly and freely chosen; and mortal sin, which requires that one exercise one's basic or fundamental freedom by taking a stance totally opposed to God (or some Ultimate).

Proponents of fundamental option theory are correct in recognizing, with Aquinas, that the change from being God's friend to being one opposed to his love is a matter of profound importance and that a basic commitment for God is, as St. Thomas noted, "not easily lost."<sup>41</sup> They are likewise correct in stressing the unity of our moral-spiritual life, refusing to see it as a series of disparate and isolated acts.

Despite these valid insights, theories of fundamental option are beset with insuperably difficult problems so that they cannot be regarded as the correct account of the difference between mortal and venial sin. First and most important, most theories of fundamental option needlessly shift the locus of self-determination from the free choices we make every day (e.g., my choice to lie to my wife, to commit adultery, to play favorites among my children, to cheat on my income tax) to an alleged act of total self-disposition deep within the person that remains prereflexive, unthematic, and incapable of being articulated explicitly in one's consciousness.<sup>42</sup> Even those versions of fundamental option theory which affirm that fundamental option is a special kind of free choice and not an exercise of a freedom more basic than free choice<sup>43</sup> cannot adequately explain why *some* free choices are self-determining and others are not.

In other words, fundamental option theories, which either relocate self-determination from free choice to an exercise of basic freedom distinct from free choice or hold that we are self-determined only by *some* free choices and not by all of our free choices, fail to take seriously the reality of free choice. As we have seen before, we make or break our lives as moral beings in and through the free choices that we make in our daily lives. We become liars, adulterers, cheaters, murderers, etc., in freely choosing to lie, commit adultery, cheat, kill the innocent, and so forth. As has been said over and over again, at the heart of human actions is a free, self-determining choice, and this



choice abides in us until contradictory choices are made. As St. Thomas said, “to act (i.e., to choose to do something) is an action abiding in the agent.”<sup>44</sup> Fundamental option theory fails adequately to take into account the *self-determining* significance of the free choices we make in our daily lives.

Proponents of fundamental option admit that some acts are so gravely immoral that freely choosing to do them is *likely* to change a good fundamental option into a bad one. Yet they also claim that in some and perhaps many cases immoral acts involving grave matter (e.g., committing adultery, deliberately killing an innocent person) can be done *with sufficient reflection and full consent* without necessarily changing one’s fundamental stance for God.<sup>45</sup> This is very strange. It has led, in practice, to the view that some sorts of acts traditionally considered to be mortal sins if done deliberately and after sufficient reflection (e.g., adultery) are not, in fact, mortal sins but only “grave” ones.

Here it is pertinent to observe, with Pope John Paul II, that the 1983 Synod of Bishops, which met to discuss the theme “Reconciliation and Penance in the Mission of the Church,” affirmed that “mortal sin is sin whose object is grave matter and which is also committed with full knowledge and deliberate consent.”<sup>46</sup> He went on to observe that “care will have to be taken not to reduce mortal sin to an act of ‘fundamental option’ — as is commonly said today — against God, intending thereby an explicit and formal contempt for God and neighbor. For mortal sin also exists when a person, knowingly and willingly, for whatever reason, chooses something gravely disordered . . . such a choice already includes contempt for the divine law, a rejection of God’s love for humanity and the whole of creation; the person turns away from God and loses charity. Thus the fundamental orientation can be radically changed by individual acts.”<sup>47</sup>

While *some* versions of fundamental option which do not deny the self-determining character of free choice can be compatible with traditional Catholic teaching and practice, the types of fundamental option theory analyzed here are not. They do not help us understand what factor in addition to grave matter, sufficient reflection, and full consent (i.e., a free choice) would constitute an exercise of basic or fundamental freedom. According to the definitive and irreformable teaching of the Church, solemnly affirmed by the Council of Trent (see DS 1679, 1707), one commits mortal sin when one knowingly and freely chooses to do something condemned by the Church as intrinsically and

gravely evil — a teaching reaffirmed, as we have seen, by the 1983 Synod of Bishops and Pope John Paul II. The kind of fundamental option theories presented and criticized here deny this, and Catholics influenced by such theories no longer can identify those sins for which they absolutely must repent and seek forgiveness in the sacrament of penance. It thus follows that these accounts of fundamental option are not compatible with Catholic faith.

#### **D. Fundamental Commitments, the Christian Way of Life, and Mortal Sin**

Despite the criticisms just given, advocates of a fundamental option seem correct in holding that the difference between grave and light matter is to be found in the depth to which different kinds of acts disrupt the existential being of a person. Aquinas seems correct in saying that certain kinds of choices include matter known to be completely incompatible with love of God and neighbor and hence destructive of the principle of our moral-spiritual life, while others entail subject matter which, though immoral and incompatible with a perfected love of God and neighbor, is reconcilable with such love.

In addition, while the positing of an exercise of “fundamental” or “basic” freedom at the core of one’s being whereby one disposes of oneself totally for or against God (or some Ultimate) seems an obscure and unnecessary hypothesis, there are certain kinds of free choices, rightly called commitments, that direct a person in a definite way of life — e.g., the choice to become a Christian, the choice to marry, the choice to become a religious or a scholar or a lawyer, the choice to join the Mafia or the Nazis or a drug-trafficking ring. Such commitments, it must be noted, are specific exercises of free choice of which a person is explicitly conscious — they are not some mysterious act so deep within the person that the person cannot, reflectively, make it an object of explicit consciousness.<sup>48</sup> And such commitments do entail basic moral stances on the part of the person, stances for or against what is right and good, stances for or against the loving plan of God.

Thus, as Germain Grisez has noted, it seems reasonable to hold that there is a basic option or commitment for the Christian — namely, the choice to become a Christian through baptism (and, if baptized in infancy, to ratify the baptismal commitment in the sacrament of confirmation or through other acts, for instance, during the liturgy of Holy Saturday).<sup>49</sup> This basic commitment or fundamental option, the act of living faith, is a definite free choice. As the Fathers of Vatican Council

II said, "By faith man freely commits his entire self to God, making 'the full submission of his intellect and will to God who reveals,' and willingly assenting to the revelation given by him" (*Dei Verbum*, n. 5; internal citation from Vatican Council I, "Dogmatic Constitution on the Faith," ch. 3, DS 3008). The Church, moreover, teaches that faith is the source of all justification and the beginning of our salvation. It teaches that faith is God's gift and that this gift is accepted by a free human act.<sup>50</sup> Finally, the Church teaches that this definite choice commits a person to a life of good works.<sup>51</sup>

Moreover, from its very beginning the Church has regarded some morally evil acts as absolutely incompatible with the requirements of faith, with the "way of life" to which a person who becomes one with Jesus and who shares in his death-resurrection is committed. As Pope John Paul II has said: "there exist acts which, *per se* and in themselves, independently of circumstances, are always seriously wrong by reason of their object. These acts, if carried out with sufficient awareness and freedom, are always gravely sinful. This *doctrine*, based on the Decalogue and on the preaching of the Old Testament, and assimilated into the *kerygma* of the apostles and belonging to the earliest teaching of the Church, and constantly reaffirmed by her to this day, is exactly verified in the experience of the men and women of all times."<sup>52</sup>

The act of living faith, in other words, has definite specifications, not only with respect to what one is to believe but also with respect to what one is to do and to refrain from doing. Thus the Church has, from New Testament times to the present,<sup>53</sup> consistently taught that certain specific kinds of acts constitute grave matter and, if knowingly and freely chosen, are mortal sins (fornication, adultery, deliberately killing the innocent, etc., as well as sins directly contrary to faith).<sup>54</sup>

In summary, mortal sin is the sort of sin that involves grave matter, i.e., matter *judged by the Church* to be incompatible with the life to which one is called and to which one commits oneself through the act of living faith. In addition to matter known to be grave, mortal sin requires sufficient reflection and an adequately free human choice, because it is a deed (whose core is a free, self-determining choice) whereby a human person turns away from God toward some created good. Even nonbelievers recognize that morally evil choices involving matter of this kind are utterly incompatible with a commitment to lead morally upright lives, for they have in their hearts the natural law, their own way of participating in God's loving plan for human existence. Venial sin, while immoral and incompatible with perfect love, is "par-

donable" either by its matter, which the Church judges is not completely incompatible with the life to which living faith commits one and which upright nonbelievers can recognize as not completely incompatible with their commitment to lead morally upright lives, or by reason of defects of knowledge or of freedom on the part of the sinner.

### **3. The Role of Sin in Our Moral Lives: The Way of Sin to Death**

St. Paul spoke of a "law" that he found in his "members," a "law" opposed to the one that he found in his "mind" (Rom 7.22-23). This "law" of his members inclined him to act in ways that he knew were immoral. The Church and theologians have seen in this passage from St. Paul, in which he expresses a universal human experience, biblical testimony to the reality of concupiscence. Concupiscence, which derives from original sin and inclines us toward personal sin,<sup>55</sup> remains even in those who have been regenerated in the waters of baptism. As a result of original sin and the concupiscence to which it gives rise, we find ourselves in a condition of disintegration and experience terrible tensions within ourselves, being drawn, as Vatican Council II reminds us, toward the good by the native thrust of our will and by the law of God written in our hearts, and being inclined toward evil by reason of the concupiscence that is in us (*Gaudium et Spes*, n. 13).

Moreover, in addition to being subject to concupiscence, we are by nature passionate and emotional beings as well as intelligent and willing beings. Our passions, as both the Scriptures (Jas 1.13-14) and human experience bear witness, can at times make sinful choices very appealing to us. They can also make choices that we know are in accord with God's law quite repugnant. As a result we are tempted, and powerful forces within us (passions under the disintegrating influence of concupiscence) incline us, to consent to what we know to be morally evil.

Furthermore, the sinful acts of individuals, when accepted by society, become a part of that society's way of life. The "world" shaped by sin (cf. Rom 5.12; 1 Jn 5.16; Jn 1.29) obscures values, provides bad example, and frequently pushes us toward sin, and even puts pressure on us to sin.<sup>56</sup>

To add to the sources within us and in the world that prompt us to sin, the devil, the father of lies, "prowls about like a roaring lion seeking whom he may devour" (1 Pt 5.8). As the Scriptures instruct us, he and his legions are at work seeking to lead us into evil.

Nevertheless, the only cause of sin is our own free will, our own self-determining choice deliberately to do what we know is morally bad and in this way set aside God's loving plan. Once we freely yield to temptation we are subject to further temptation as we seek to integrate our life with the sinful self we have made ourselves to be. This leads us to rationalize our sinful choices. We are strongly inclined to distort our relationship to God by self-righteousness or, at times, by flight. We even seek to conceal from ourselves our own identity as sinners.

Although venial sin is sin only in an analogous sense, it can prepare the way for mortal sin. It makes us aware of sinful possibilities that might otherwise have remained unknown; it puts us in situations difficult to escape without mortal sin; and it frequently makes attractive objectives we are tempted to pursue by mortal sin.<sup>57</sup>

The Catholic tradition has also recognized that some sins are "capital," insofar as they are the "heads" (*capita*) or sources of other sins. Since the time of Pope St. Gregory the Great in the eighth century seven such capital sins have been commonly named: pride (vainglory), covetousness (avarice), lust, gluttony, anger, envy, and sloth. Some of these sins are attitudes that compete with love of God and neighbor. Thus pride is a disposition to find fulfillment in status and the respect of others; lust and gluttony are dispositions to fulfillment in immediate sensible gratifications; avarice, a disposition to fulfillment in possessions.<sup>58</sup> Other capital sins are ways of rationalizing our sinfulness. Thus sloth disposes us to put off reforming our moral and spiritual life, resisting the effort needed to give up sinful attachments;<sup>59</sup> envy makes us hate the good of others, whose goodness puts demands on us that we do not like.<sup>60</sup> As a capital sin, anger is a disposition to wipe out especially whatever poses a threat to our sinful self.<sup>61</sup>

According to Catholic faith, every sin can be forgiven during life because of God's surpassing love (DS 349). Still, the Scriptures speak of sins that cannot be forgiven in the sense that they constitute a terrible offense against the truth and the light, against the Holy Spirit (Mt 12.31-32; 1 Jn 5.16). In speaking of sin in this way, the Scriptures are referring to a sin more radical than most mortal sins, for it is sin whose nature blocks forgiveness. From the time of Augustine theologians have provided a list of sins against the Holy Spirit, proceeding from initial impenitence through obduracy, presumption, despair, rejection of known truth, envy of the grace given to others, to final impenitence.<sup>62</sup> Final impenitence leads us to hell, the eternal separation

from God begun in this life through our free, self-determining choices to turn from God and his law of love and to cleave inordinately to some created good that, in effect, we put in God's place.

In conclusion: through our willingness to do what we know is wicked in the sight of the Lord, we open a chasm between ourselves and God. Through rationalization we make this chasm wider and wider until we can no longer hear his call and discern the word of truth that he has spoken in this world. The gospel is the good news that God himself has come to save us from sin, to be with us and for us, to be our Emmanuel. Only by a self-determining act of conversion, of *metanoia*, of penance, made possible by the saving death and resurrection of Jesus, can we be reunited with our God and rise to a life of holiness, a life of constant conversion and growth in the way of truth and of life. But in this struggle we can confidently hope in God, for, as St. Paul so eloquently said, "nothing, neither death nor life, no angel, no prince, nothing that exists, nothing still to come, not any power, or height or depth, nor any created thing, can ever come between us and the love of God made visible in Christ Jesus our Lord" (Rom 8.38-39). Nothing separates us from God; only we separate ourselves from him by rejecting his love and refusing his mercy.

### **Notes for Chapter Four**

1. Good accounts of original sin are found in the following sources: Germain Grisez, *The Way of the Lord Jesus*, Vol. 1, *Christian Moral Principles* (Chicago: Franciscan Herald Press, 1983), pp. 333-360; T. C. O'Brien, "Appendix 2" and "Appendix 3" in St. Thomas Aquinas, *Summa Theologiae*, Vol. 26 (New York: McGraw-Hill, 1965), 110-120; C. J. Peter, "Original Justice" and "Original Sin," *New Catholic Encyclopedia* 10.774-801.

2. On the meaning of sin in Scripture, consult the following: Johannes Bauer, "Sin," in *Sacramentum Verbi* (New York: Herder and Herder, 1971) 3.849-862; J. Lechowski, "Sin (in the Bible)," *New Catholic Encyclopedia* 13.226-241; S. Lyonnet, "Sin," in *Theological Dictionary of the Bible*, ed. X. Léon-Dufour (rev. ed.; New York: Seabury, 1973), pp. 50-55.

3. Some hold that sin is essentially a violation of the covenant. While it is true that sin does violate the covenant once it has been established, it does not follow from this that sin is limited to covenant violations. The Chosen People's idolatry was sinful prior to the establishment of the covenant (Ez 20.7-8), and the prophets vehemently

denounced the sins of pagan nations who had no special covenant relationship with God (Am 1.3—2.3). In the New Testament St. Paul taught that the pagans living outside the covenant are nonetheless guilty of sin by reason of the “law” written in their hearts because of their immoral acts (Rom 1.18-22; 2.14-16).

4. On the biblical vocabulary for sin, see G. Quell et al., “Harmatano,” in *Theological Dictionary of the Bible*, ed. G. Kittel, trans. G. Bromiley (Grand Rapids, MI: Eerdmanns, 1969) 1.267-316.

5. Stanislaus Lyonnet, “Sin,” in *Theological Dictionary of the Bible*, p. 553.

6. Johannes Bauer, “Sin,” in *Sacramentum Verbi* 3.856.

7. *Ibid.*, 857-858.

8. On this, see Bauer, Lyonnet, and other authors cited in note 2.

9. St. Augustine, *Contra Faustum*, 22.27: “factum, dictum, vel concupitum contra legem aeternam.”

10. St. Augustine, *De Libero Arbitrio*, 2.53: “aversio a Deo, conversio ad creaturam.”

11. Philip Keane, *Sexual Morality: A Catholic Perspective* (New York: Paulist Press, 1977), pp. 35-36.

12. On this, see chapter 2, above.

13. St. Thomas, *De Malo*, 7, 3.

14. St. Thomas, *Summa Contra Gentiles*, 3.122.

15. St. Thomas, *Summa Theologiae*, 1-2, 71, 2, ad 4; 71, 6.

16. *Ibid.*, 71, 6, ad 5.

17. *Ibid.*, 89, 6.

18. *Ibid.*, 71, 6.

19. *Ibid.*, 94, 2.

20. *Ibid.*, 72, 1.

21. *Ibid.*, 72, 1; 73, 1; 75, 1 and 2; 78, 1.

22. *Ibid.*, 71, 2, ad 3; 77.

23. *Ibid.*, 71, 6; 79, 2.

24. *Ibid.*, 57, 4.

25. *Ibid.*, 86, all articles; 87, 6.

26. Pope John Paul II, *Reconciliatio et Poenitentia*, n. 16.

27. *Ibid.*, n. 14. See Rom 7.7-25; Eph 2.2.

28. See St. Augustine, *Expositions on the Psalms*, 81 (80), 19-20; St. Thomas, *Summa Theologiae*, 1-2, 89, 2. See also Th. Deman, “Péché Mortel et Péché Veniel,” *Dictionnaire de Théologie Catholique* 12.225-226.

29. Pope John Paul II, *Reconciliatio et Poenitentia*, n. 17.

30. St. Thomas, *Summa Theologiae*, Supplement to the Third Part, 65, 4c: "illi actus ex suo genere sunt peccata mortalia per quos foedus amicitiae hominis ad Deum et hominis ad hominem violatur: haec enim sunt contra duo praecepta caritatis, quae est animae vita." See also *ibid.*, 3, 89, 6.

31. *Ibid.*, 1-2, 88, 1.

32. *Ibid.*, 88, 1, ad 1.

33. *Ibid.*, 88, 1, ad 2; see 88, 2; 89, 3.

34. *Ibid.*, 88, 2 and 6.

35. *Ibid.*, 88, 2.

36. See texts cited in note 30.

37. Josef Fuchs, *Human Values and Christian Morality* (New York: Macmillan, 1970), p. 93.

38. Richard McCormick, "The Moral Theology of Vatican II," in *The Future of Ethics and Moral Theology* (Chicago: Argus Communications, 1968), p. 12.

39. John Glaser, "Transition Between Grace to Sin: Fresh Perspectives," *Theological Studies* 29 (1968) 261-262. Also see Karl Rahner, "Theology of Freedom," *Theological Investigations*, Vol. 8 (New York: Herder and Herder, 1969), pp. 178-196.

40. Joseph Boyle, "Freedom, the Human Person, and Human Action," in *Principles of Catholic Moral Life*, ed. William E. May (Chicago: Franciscan Herald Press, 1980), p. 250.

41. St. Thomas, *De Veritate*, 27, 1, ad 9.

42. Boyle, "Freedom, the Human Person, and Human Action," pp. 237-266.

43. On this, see, for example, Richard McCormick, in *An American Catechism*, ed. George Dyer (New York: Seabury, 1975), pp. 189-190.

44. St. Thomas, *Summa Theologiae*, 1-2, 57, 4.

45. On this, see Keane, *Sexual Morality*, pp. 38-40; Fuchs, *Human Values and Christian Morality*, pp. 99-100; Timothy E. O'Connell, *Principles for a Catholic Morality* (1st ed.; New York: Seabury, 1978), p. 62.

46. Pope John Paul II, *Reconciliatio et Poenitentia*, n. 17.

47. *Ibid.*

48. In his *The Critical Call: Dilemmas in Moral Theology* (Washington, DC: Georgetown University Press, 1989), McCormick seeks to defend advocates of fundamental option theory from criticism that this view considers fundamental freedom as an act that is not accessible to consciousness. He stresses that it is not accessible to "ex-



plicit” or “thematic” consciousness, but that its proponents recognize it as an awareness or consciousness that is “unthematic.” McCormick’s response to criticism is totally inadequate. He fails, for example, even to consider Boyle’s essay (noted above) or to note that Boyle is clearly aware of the distinction between “thematic” and “unthematic” consciousness. The major difficulty is that most versions of fundamental option theory relocate self-determination from the free choices human persons make to an exercise of freedom that is, to say the least, very obscure.

49. Grisez, *Christian Moral Principles*, pp. 393-398.

50. DS 1528-1532; Vatican Council II, *Dei Verbum*, n. 5; *Dignitatis Humanae*, nn. 2, 3.

51. DS 1532-1539; Vatican Council II, *Lumen Gentium*, n. 35; *Dignitatis Humanae*, nn. 5, 10.

52. Pope John Paul II, *Reconciliatio et Poenitentia*, n. 17.

53. Thus the Church has always taught, from the days of the *Didache* in the second century on, that such acts as abortion, infanticide, adultery, fornication, and homosexual activity are always gravely wrong. On this, see William E. May, *Moral Absolutes: Catholic Tradition, Current Trends, and the Truth* (Milwaukee: Marquette University Press, 1989).

54. See Pope John Paul II, *Reconciliatio et Poenitentia*, n. 17.

55. Council of Trent; DS 1515.

56. On this, see Piet Schoonenberg, *Man and Sin* (Notre Dame, IN: University of Notre Dame Press, 1968).

57. St. Thomas, *Summa Theologiae*, 1-2, 88, 3; see Grisez, *Christian Moral Principles*, pp. 439-440.

58. *Summa Theologiae*, 1-2, 84, 4; 2-2, 118, 7; 148, 5; 155, 4; 162, 8.

59. *Ibid.*, 2-2, 35.

60. *Ibid.*, 2-2, 36.

61. *Ibid.*, 2-2, 158, 2, 6, 7.

62. *Ibid.*, 2-2, 1-4.

CHAPTER  
**FIVE**

# Christian Faith and Our Moral Life

According to Catholic faith, Jesus Christ our Lord is the “center and goal of the whole history of mankind” (*Gaudium et Spes*, n. 10). Christ is the one who “fully reveals man to himself” (ibid., n. 22). He is the “perfect man” (ibid., nn. 22, 38, 41, 45), in whom “human nature is assumed, not annulled” (ibid., n. 22). He is the one who “by his incarnation has somehow united all men with himself” (ibid.; *Redemptor Hominis*, nn. 13, 18). Moreover, all men “have the same nature and the same origin” (*Gaudium et Spes*, n. 29; *Lumen Gentium*, n. 19), and all have the “same calling and divine destiny,” and so, being fundamentally equal both in nature and in supernatural calling (*Gaudium et Spes*, n. 29), can be citizens of the one people of God regardless of race or place or time (*Lumen Gentium*, n. 13).

Christ is our Redeemer, our Savior, and by uniting our lives with his we can in truth become fully the beings his Father wills us to be. The purpose of this chapter is thus to investigate the meaning of our lives as moral beings who have, through baptism, become “one” with Christ. Its purpose is to see how the “natural law” is brought to fulfillment and completion by the gospel “law” of Christ. To achieve this purpose the following topics will be pursued: 1. the existential context within which our struggle to live morally good lives is situated; 2. Jesus Christ, the foundation of the Christian moral life; 3. the meaning of our baptismal commitment and of our personal vocation to follow Christ; 4. the specific nature of Christian love as the principle of the moral lives of Christians; 5. the Lord’s “Sermon on the Mount,” with its beatitudes, as the “charter of Christian ethics”; 6. the question of specific Christian norms; and 7. the “practicality” of the Christian moral life.

## **1. The Existential Context of Our Moral Life**

St. Thomas offered several reasons why human persons, in order to be fully the beings God wills them to be, need a divinely revealed law

in addition to natural law and human law derived from it. Two of these reasons are of particular significance. He noted, first of all, that for the proper direction of human life a divinely revealed law is necessary inasmuch as the final end to which human beings are called, namely, a life of eternal happiness and life with God, is an end that exceeds merely human capacities and that, therefore, a divinely revealed "law" is needed if human actions are to be properly directed. He then observed that a divinely revealed law is needed inasmuch as human judgment is uncertain, especially when it has to do with contingent and particular matters, with the result that different judgments are given about diverse kinds of human action so that human laws with respect to them are quite different and, at times, contradictory. Consequently, precisely so that human persons might know "without any doubt what ought to be done and what avoided" a divinely given law is needed, one that cannot err.<sup>1</sup> In another text St. Thomas expands on the second point. There he remarks that divinely given precepts are necessary even with respect to the acts of the moral virtues, to which man's natural reason inclines him, precisely because the "natural reason of man has been darkened by the concupiscence of sin."<sup>2</sup>

I will first take up the second of the reasons St. Thomas gives for the need of a divinely revealed law, i.e., weakness and incertitude of human judgments about what is to be done and avoided, a weakness and incertitude caused in large measure by the reality of sin and its effects on our lives. I will then consider his first reason for the need of a divinely revealed law, namely, our supernatural calling to live in union with God himself.

First, the reality of sin. Which one of us has not personally experienced the anguish expressed by St. Paul when he exclaimed: "I do not understand my own actions. For I do not do what I want, but I do the very thing I hate. . . . I can will what is right, but I cannot do it. For I do not do the good I want, but the evil I do not want is what I do" (Rom 7.15-19). Paul continued by saying: "My inner self agrees with the law of God, but I see in my body's members another law at war with the law of my mind; this makes me the prisoner of the law of sin in my members" (Rom 7.22-23). Paul's words, which accurately describe a genuine human experience, in no way deny the reality of free choice, for Paul holds himself and others morally responsible for the evil chosen and done (cf. Rom 1.20-32; 2.14-16). But his words do testify to the reality of sin and its impact on our existence as moral beings.

In the passages just cited from Romans, St. Paul focuses on the debilitating effects of sin on our efforts, *conatively*, to do what we ourselves have come to know that we ought to do if we are to be fully the beings God wills us to be. But sin also has a debilitating effect on our endeavor, *cognitively*, to come to know what we are to do if we are to be fully the beings God wills us to be. In short, we live our lives as moral beings within an existential framework wherein we encounter both *disabling* and *enabling* factors or, theologically considered, sin and grace, both in our struggle to *know* moral truth and in our struggle to *do* the good we come to know.<sup>3</sup> My concern here is with the disabling effect of sin on our existence as moral beings.

In the previous chapter we investigated the meaning and reality of personal sin, of which all of us, if we are honest, are guilty — for “if we say, ‘We are free of the guilt of sin,’ we deceive ourselves; the truth is not to be found in us” (1 Jn 1.8). In that chapter we saw that personal sin, unless repented, abides in us as an inclination or disposition to further sin, blinding us to moral truth. Moreover, the sins of individuals, when accepted and endorsed by others, soon become the practices of a society, becoming embedded in its culture, mediating to us false understandings of ourselves and of what we are to do, inviting us, sometimes with pressure, to do what is wicked.<sup>4</sup>

We live, in other words, in a world wounded by sin. In addition to our own personal sins there is the “sin of the world,” i.e., the sinful situation in which we live and in which we come to an understanding of ourselves and of what we are to do. While no one can force us to sin, we can be invited to do so, and, at times, “invited” with considerable pressure. As one theologian, Piet Schoonenberg, S.J., has remarked, “there is an influence of one [person’s] freedom upon another. From a free action there proceeds an appeal to which the free action of another may respond. That appeal may operate at once through the cognitive faculties of the other. It can also have a delayed effect in space or time. Today’s sin may not only draw others along through seduction but it may also in the same way influence posterity, which has lost its bearings on account of the sins of the fathers.”<sup>5</sup>

The sins of others, in other words, can frequently be a source of sin for ourselves. They affect us cognitively and conatively, obscuring values and norms, giving us bad example, and, at times, bad example with pressure.

Indeed, Pope John Paul II has stressed the reality of “social sin.” We need to recognize “that, by virtue of human solidarity . . . each

individual's sin in some way affects others." Indeed, he continued, "one can speak of a communion of sins, whereby a soul that lowers itself through sin drags down with itself the church and, in some way, the whole world; . . . with greater or lesser violence, with greater or lesser harm, every sin has repercussions on the entire ecclesial body and on the whole human family" (*Reconciliatio et Poenitentia*, n. 16). Because of "social sin," which ultimately, as Pope John Paul II stresses, is rooted in the *personal* sins of specific individual human persons (*Reconciliatio et Poenitentia*, n. 16), we are "disabled" in our struggle both to discover moral truth and to shape our choices and lives in accord with it.

There is, in addition, the reality of original sin and its effects on our existence as moral beings. Here it will be worthwhile to recall briefly the Church's teaching on this subject. Pope Paul VI well summarized this teaching in his *The Credo of the People of God*. I will first cite his brief but accurate presentation of this teaching and then offer some comments. Pope Paul VI had this to say: "We believe that in Adam all have sinned, which means that the original offense committed by him caused human nature, common to all men, to fall to a state in which it bears the consequences of that offense, and which is not the state in which it was at first in our first parents, established as they were in holiness and justice, and in which man knew neither evil nor death. It is human nature so fallen, stripped of the grace that clothed it, injured in its own natural powers and subjected to the dominion of death, that is transmitted to all men, and it is in this sense that every man is born in sin. We therefore hold, with the Council of Trent, that original sin is transmitted with human nature, 'not by imitation, but by propagation,' and that it is thus 'proper to everyone.'"<sup>6</sup>

The Council of Trent, at its fifth session on June 17, 1546 (cf. DS 1510-1516) definitively taught that human beings, in the person of Adam,<sup>7</sup> were constituted in justice and holiness. However, it continued, Adam disobeyed God and as a result lost his original justice and holiness, incurring the punishment of death, and was changed for the worse in body and soul. The Council further taught that Adam passed on this sin to *all* human persons and that this sin is transmitted by propagation, not imitation.<sup>8</sup> The harm to human persons wrought by original sin is healed only by Christ our Savior. Even babies, this Council and the Church teach, are guilty of original sin and are therefore in need of baptism so that the salvation won by Christ can be mediated to them.

That even babies are “guilty” of original sin and in need of salvation is the firm teaching of the Church. One of its greatest doctors, St. Augustine, who was himself not baptized as an infant and who, in his *Confessions*, bemoaned this fact, expressed in an unforgettable way the reason for this teaching. The Church, he wrote, confesses that Jesus Christ is the Savior and Redeemer of *all* human beings, no matter their race or age or condition. Infants, who are in no way guilty of personal sin, are still in need of redemption by Christ. As Augustine said, “ ‘You call his name Jesus.’ Why? ‘Because he will save his people.’ From what? ‘From their sins.’ Now in the case of a child, he is brought to the Church to make him a Christian, in order to baptize him, supposedly in order that he may belong to the people of Jesus. But of what Jesus? He who saves ‘his people from their sins.’ If he [the child] does not have anything that can be saved in him, let him be taken away from here. Why do we not say to the mothers: Take these children away from here? Because Jesus is Savior. But if these have nothing in them to be saved from, take them away.”<sup>9</sup>

To put it another way, original sin and redemption go hand in hand. If there is no original sin, there is no redemption in Christ. The Church teaches that baptism brings to human persons the grace of Christ, which really takes original sin away (DS 1515). Nonetheless, it holds, there remains even in those regenerated by the waters of baptism, the effect of original sin — concupiscence. Concupiscence (i.e., disordered human desires) — and which one of us is not aware of such? — is not itself sin. But it comes from sin (original sin), and it inclines us toward personal sin (DS 1515), with the result that our minds are darkened, i.e., able only with difficulty to come to know moral truth (the point St. Thomas was making), and our wills weakened, i.e., strongly inclined to choose contrary to our own best judgments.

Sin — personal, social, original — is a reality in our lives. It cripples us in our efforts to know and do the truth. Because of sin we at times feel powerless to do the good we know we ought to do. To be fully the beings God wills us to be, we need help, “enabling” factors. One of these enabling factors is the “law” that God himself graciously reveals to us, the law first given to us through Moses and then wondrously brought to fulfillment and completion by Christ, our Lord and Redeemer. This is precisely the point that St. Thomas was emphasizing in the second reason he advanced for the necessity of a divinely revealed law.

But our greatest help, the principal “enabling” factor in our lives as

moral beings, is Jesus Christ himself, the Father's supreme gift to his human creatures. Jesus, whom St. Thomas calls "our best and wisest friend,"<sup>10</sup> is indeed "the way, the truth, and the life" (Jn 14.5). He is the one who is "preparing a place" for us in his "Father's house" (Jn 14.2, 3), bringing to us the gift of life eternal in union with his Father. He and his Father, moreover, give to us the Paraclete, the Spirit of Truth, to be with us always (cf. Jn 14.16, 17), to lead us on our journey to our heavenly home, guiding us inwardly to our supernatural end, life everlasting as members of the divine family. The gospel "law" divinely given to us in and through Jesus is, as St. Thomas tells us, in essence the "grace of the Holy Spirit which is given to Christ's faithful."<sup>11</sup> This "law" empowers us not only to know what we are to do if we are to be fully the beings God wills us to be but also to do what we come to know we ought to do, to live as faithful children of God, as persons called to share in God's inner Triune life. And this is precisely the point behind St. Thomas's first reason for the necessity of a divinely given "law."

It is now opportune to examine more deeply *the* foundation of the Christian moral life, namely, Jesus Christ our Lord.

## **2. Jesus, the Foundation of the Christian Moral Life**

Jesus, Vatican Council II instructs us, "fully reveals man to himself" (*Gaudium et Spes*, n. 22). He does so because he is the center of human history, the one who holds primacy of place in God's loving plan for human persons and, indeed, for the whole created universe. This is clearly the central message of the New Testament, a message eloquently summarized by St. Paul in his words to the Colossians: "He [Christ] is the image of the invisible God, the first-born of all creation; for in him all things were created, in heaven and on earth, visible and invisible . . . — all things were created through him and for him. He is before all things, and in him all things hold together. He is the head of the body, the church; he is the beginning, the first-born from the dead, that in everything he might be preeminent. For in him all the fulness of God was pleased to dwell, and through him to reconcile to himself all things, whether on earth or in heaven, making peace by the blood of the cross. And you, who once were estranged and hostile in mind, doing evil deeds, he has now reconciled in his body of flesh by his death, in order to present you holy and blameless and irreproachable before him" (Col 1.15-22).

Jesus is true God and true man. He is true God, for "in him all the

fulness of God was pleased to dwell." He is God's eternal, unbegotten "Word" (cf. Jn 1.1). And Jesus is true man, for he is God's eternal Word made flesh, i.e., man (cf. Jn 1.14). "Born of a woman" (Gal 4.4), he is "like his brothers in every respect" (Heb 2.17), "tempted as we are, yet without sinning" (Heb 4.15). Insofar as he is man, Jesus achieves human fulfillment by living a perfect human life, one manifesting God's goodness in a unique and special way: "I glorified you on earth, having accomplished the work you gave me to do" (Jn 17.4). And his Father crowns his work by raising him — and all persons who are united with him — from the dead. Indeed, as St. Paul teaches us, "Christ has in fact been raised from the dead, the first-fruits of all who have fallen asleep. Death came through one man and in the same way the resurrection of the dead has come through one man. Just as all men die in Adam, so all men will be brought to life in Christ" (1 Cor 15.20-22). Again, as man, Jesus is the "first-born of all creation" (Col 1.15), and is completed by creation united under him: God "has let us know the mystery of his purpose, the hidden plan he so kindly made in Christ from the beginning to act upon when the times had run their course to the end; that he would bring everything together under Christ as head, everything in the heavens and everything on earth" (Eph 1.9-10; cf. Eph 1.22-23).

As God, Jesus unites those who are his own to the Father. "The glory which you have given me I have given to them, that they may be one as we are one, I in them, and you in me, that they may become perfectly one" (Jn 17.22-23). Insofar as he is God, Jesus mediates to us a share in his divinity, for "from his fulness we have all received" (Jn 1.16). Indeed, in Jesus we have become "partakers of the divine nature" (2 Pt 1.4). Because his human life, death, and resurrection was the life, death, and resurrection of God's only-begotten Son, those who are united to him are in truth "begotten" anew. They now become literally "children of God," members of the divine family: "See what love the Father has given us, that we should be called children of God; and so we are. . . . Everyone who believes that Jesus is the Christ is a child of God" (1 Jn 3.1, 5.1).

Through baptism we are truly united to Christ, dead to sin — i.e., no longer under its sway and impotent before it — and risen to a new kind of life, the life proper to God's own children. St. Thomas put the matter this way: "Through baptism a person is reborn to a spiritual life, one proper to Christ's faithful, as the Apostle says (Gal 2.20), 'the life I now live in the flesh I live by faith in the Son of God [who loved me



and gave himself for me].’ But this life belongs only to the members who are united with the head, from whom they receive sense and movement. And therefore it is necessary that through baptism a person is incorporated into Christ as his member. For just as sense and movement flow from the natural head to its [bodily] members, so from the spiritual head, who is Christ, flow to his members both a spiritual sense, which consists in the knowledge of the truth, and a spiritual movement, which operates through the inspiration of grace. Hence John says (1.14, 16), ‘we have seen him full of grace and truth, and of his fullness we have all received.’ And therefore it follows that the baptized are enlightened by Christ regarding the knowledge of the truth, and they are impregnated by him with an abundance of good works through the infusion of faith.”<sup>12</sup>

Jesus is truly *the* foundation of Christian moral life, for the life we now are empowered to live is in reality a *divine* life as well as a human life. Just as Jesus fully shared our humanity and our human life so we, by being engrafted onto the “vine” which is Christ (cf. Jn 15.1-11), really share his divinity. In him we are literally divinized, and our life in union with God begins here and now, to be brought to fulfillment in the heavenly kingdom when, “with death conquered the children of God will be raised in Christ and what was sown in weakness and dishonor will put on the imperishable (cf. 1 Cor 15.42, 53); charity and its works will remain (cf. 1 Cor 13.8; 3.14), and all of creation (cf. Rom 8.19-21), which God made for man, will be set free from its bondage to decay” (*Gaudium et Spes*, n. 39). Although our life in union with Jesus — and in, with, and through him, with the Father and the Holy Spirit — will reach its fulfillment only on the day of the resurrection, it is absolutely essential to realize that this divine life is already, here and now, present within us. We are, *now*, God’s children; the divine nature has been communicated to us. While always remaining human, we really share in Christ’s divinity. We are literally “other Christs,” truly his brothers and sisters and in, with, and through him, God’s very children.<sup>13</sup>

We receive this divine life in baptism, and this divine life is nurtured by the heavenly food God wills to give us, the body and blood of his Son, our Redeemer and Brother, Jesus Christ. From the earliest times Christian faith has held that eating this food differs markedly from eating other food. When we eat ordinary food we transform it into ourselves. But when we ingest Jesus’ living body, “he makes our mortal flesh come alive with his glorious resurrection life,”<sup>14</sup> precisely

because “ ‘the partaking of the body and blood of Christ does nothing other than transform us into that which we consume’ ” (*Lumen Gentium*, n. 26, citing St. Leo the Great).<sup>15</sup>

As Grisez points out, our union with Jesus is threefold.<sup>16</sup> There is, first of all, our union with him in divine life as children of God. This is the dimension of our union with Jesus that has already been summarized, for it is the union that divinizes us and makes us to be members of the divine family. This aspect of our unity with Christ begins with baptism and is fulfilled and completed when we see God, no longer in a glass and darkly, but face to face (cf. 1 Cor 13.12).

There is, secondly, the *bodily* union between Jesus and his faithful, the members of his Church. This dimension of our union with Christ, while mysterious, is real. It is this aspect of our union with Jesus that is developed in the New Testament particularly in the gospel of John and in the Pauline literature. In John’s gospel it is expressed by a metaphor comparing the relationship of Jesus to his disciples to that of the vine to its branches (Jn 15.1-8). St. Paul develops this dimension of our union with Jesus in those many passages in his writings when he compares the relationship of Christ to his members, the Church, to the living relationship of the body’s head to its members. One of the most striking of these passages is found in 1 Corinthians 6, where St. Paul says: “Do you not know that your bodies are members of Christ? Shall I then take Christ’s members and make them the members of a prostitute? Of course not! Or do you not know that anyone who joins himself to a prostitute becomes one body with her? For the ‘two,’ it says, ‘will become one flesh.’ But whoever is joined to the Lord becomes one spirit with him” (1 Cor 6.15-17).<sup>17</sup>

The author of the epistle to the Ephesians compares the bodily union of Christ to his members to the unity in one flesh of husband and wife (Eph 5.22-33). The one-flesh union of marriage, which is most perfectly actualized in fruitful marital union integrating the love-giving and life-giving meanings of the bodily union of husband and wife, sheds much light on the bodily union that exists between Jesus and his bride, the Church. It is a life-giving and a love-giving union. Like husband and wife Jesus and his members do not lose their individual identity, and they play distinct roles in their nurturing of life and love, yet they are still one. Moreover, because of this bodily union with Christ — a union that will be brought to completion and fulfillment in the resurrection — the members of Jesus’ body share *already* in his resurrection life. Thus Paul says: “If then you have been raised

in Christ, seek the things that are above, where Christ is, seated at the right hand of God. Set your minds on things that are above, not on things that are on earth. For you have died, and your life is hid with Christ in God. When Christ, who is our life, appears, then you also will appear with him in glory" (Col 3.1-4).

Third, and finally, there is a unity between Christ and the Christian in human acts. This dimension of the Christian's union with Jesus will be considered more fully in the next section of this chapter. But here I would like to illustrate this union by noting briefly its paradigmatic exemplar, our union with Jesus' redemptive act in the sacrifice of the Mass, which renews his sacrifice of himself to his Father on the cross and in which he and his people unite in praising and thanking the Father. The Council of Trent definitively teaches that the Mass is a true sacrifice, the renewal of our Lord's sacrifice on the cross (DS 1739-1742), while Vatican Council II reminds us that our Lord instituted the Eucharist to perpetuate the sacrifice of his body and blood through the centuries until he comes again (*Sacrosanctum Concilium*, n. 47). Moreover, as the General Introduction to the *Roman Missal* says, "The Church's rule of prayer corresponds to the Church's enduring rule of faith. It teaches us that the sacrifice of the cross and its sacramental renewal in the Mass are one and the same, differing only in the manner of offering. At the Last Supper Christ the Lord instituted this sacramental renewal and commanded his apostles to do it in memory of him. It is at once a sacrifice of praise and thanksgiving, a sacrifice that reconciles us to the Father and makes amends to him for the sins of the world."<sup>18</sup>

How can the sacrifice of the Mass be "one and the same" with the sacrifice of the cross? And how is our action in the Mass united with Christ's own act of giving himself up to the Father? Here it is necessary to recall a most important matter developed in the first chapter, namely, that human acts are not physical events that come and go like the falling of leaves but spiritual realities that abide within the person until contradictory choices are made. For at the heart of our human actions is a free, self-determining choice that abides within us as part of our identity. Jesus' free choice, as a human being, to suffer death for our salvation so that he could carry out the work given to him by his Father did not end with his death. It abides within him as a determinant of his glorious human identity — for Christ *is now* still a human being, the kind of human being we are called to be but with his humanity hypostatically united to his divinity in the unity of his per-

son. This truth is at the heart of the teaching found in the epistle to the Hebrews, which says, "But when Christ appeared as high priest of the good things that have come, then through the greater and more perfect tent (not made with hands, i.e., not of this creation) he entered once for all into the Holy Place, taking not the blood of goats and calves but his own blood, thus securing an eternal redemption" (Heb 9.11-12; cf. Heb 9.24-28; 10.5-14).

The Mass today continues to carry out Jesus' redemptive choice. The way of executing this choice differs from the way it was carried out on Calvary, but it is the very same choice, the oblation of his own body and blood for our reconciliation. Moreover, we, his people, participate in this saving action through the mediation of the priest, who does now what Jesus told him to do at the Last Supper. For, as Vatican Council II teaches, the Mass perpetuates the sacrifice of the cross until Jesus comes again, making it present so that we can share in it (*Sacrosanctum Concilium*, n. 47). It is precisely for this reason that the Church "earnestly desires that Christ's faithful, when present at this mystery of faith, should not be there as strangers or silent spectators. On the contrary, through a good understanding of the rites and prayers they should take part in the sacred action, conscious of what they are doing, with devotion and full collaboration. . . . Offering the immaculate victim, not only through the hands of the priest but all *together with him*, they should learn to offer themselves" (*Sacrosanctum Concilium*, n. 48; emphasis added).

All of Christian life proceeds from and prepares for the Eucharist, the renewal of Christ's redemptive act and the living food of his disciples wherein their union with him is deepened and enriched. Thus, as Grisez has said, "Christians live in order to have prayer and works, joys and sufferings, to bring to the Offertory; having known Jesus in the breaking of the Bread, Christians come forth from Mass and enter into other activities in order to love and serve the Lord. In the Mass . . . the overarching act of each Christian's life as a whole . . . persons already Christian by baptism become fully joined to Jesus by cooperating in his human act and thus linking their lives (made up of their own acts) with his."<sup>19</sup>

In short, Jesus himself is the foundation of the Christian life. His disciples are one with him insofar as they share in his own divine life, are united bodily with him in union even more intimate than that between husband and wife, and act in union with him by giving themselves, with him, as an offering of praise and thanksgiving to the Father.

### **3. Our Baptismal Commitment and Personal Vocation**

An important passage from Vatican Council II reads as follows:

At all times and among every people, God has given welcome to whosoever fears him and does what is right (cf. Acts 10.35). It has pleased God, however, to make men holy and save them not merely as individuals without any mutual bonds, but by making them into a single people, a people which acknowledges him in truth and serves him in holiness. He therefore chose the race of Israel as a people unto himself. With it he set up a covenant. Step by step he taught this people by manifesting in its history both himself and the decree of his will, and by making it holy unto himself. All these things, however, were done by way of preparation and as a figure of that new and perfect covenant which was to be ratified in Christ, and of that more luminous revelation which was to be given through God's very Word made flesh.

"Behold the days shall come, says the Lord, and I will make a new covenant with the house of Israel, and with the house of Judah. . . . I will give my law in their bowels, and I will write it in their heart; and I will be their God; and they shall be my people. . . . For all shall know me, from the least of them even to the greatest, says the Lord" (Jer 31.31-34). Christ instituted this new covenant, that is to say, the new testament, in his blood (cf. 1 Cor 11.25), by calling together a people made up of Jew and Gentile, making them one, not according to the flesh but in the Spirit (*Lumen Gentium*, n. 9).

As Grisez observes, "this passage explicitly mentions three aspects of the life of a Christian which follow from its being life within the covenant. First, the Christian lives within the covenant community, the Church; one's Christian life is not primarily that of an individual before God. Second, one enters into the new covenant not by the flesh (by birth as a Jew) but by the Spirit (by the grace of justification which gives living faith). Third, in the new covenant, one receives a law which must be lived, and it is all the more effective because it is written in the heart of every Christian, not merely inscribed on stone or in the Torah."<sup>20</sup> In this section I will consider the first two aspects of our lives as Christians noted in *Lumen Gentium*, namely, the fact that our life in Christ is a corporate one, as people of his covenanted community, the Church, whose entrance into this community is not by flesh but by the Spirit. I will then consider the indispensable role that each one of us is personally called upon to play within this covenant community by discerning and carrying out our own personal vocation. In the next section of this chapter the third aspect of our lives as Chris-

tians, namely, life in accordance with the “law” of love written in our hearts, will be taken up.

The new and more perfect covenant between God and humankind that was established through the saving death and resurrection of Jesus is the covenant between God and those who accept Jesus in living faith and, by so doing, become incorporated into his body, the Church. The Church is the new people of God and it is made up of those who have been “regenerated” by the waters of baptism into a new family, the family of God’s adopted sons and daughters, the brothers and sisters of Jesus Christ.

Our entry into this new covenant is not by flesh but by the Spirit. Our redemption from sin and resurrection to a new life of justification is first and foremost a gift of God, won for us through the redemptive death and resurrection of Jesus, and communicated to us by the Paraclete, the Spirit whom Father and Son send to us to fill our hearts with divine life and love. But, since God has endowed us with freedom of choice so that we can, through free choice, determine ourselves and freely accept his gift of life, he wills that we cooperate freely with his grace and gift of life. Moved by the Spirit, one enters into the new covenant when one accepts by an act of living faith the justifying and redeeming gift of life in Christ.

One becomes a member of Jesus’ people, the Church, in baptism, when one “dies” to the old humanity wounded by Adam’s sin (cf. Rom 5.12) and “rises” to a new kind of life, the kind made possible by union with the risen Lord: “when we were baptized we went into the tomb with him and joined him in death, so that as Christ was raised from the dead by the Father’s glory, we too might live a new life” (Rom 6.4). Through baptism we have “put on Christ” (Gal 3.27) and live in union with him. And at the heart of baptism is a free, self-determining choice whereby one renounces a life of sin and commits oneself to live henceforward worthily as a child of God, a member of Christ’s body. Most of us were baptized as infants and, at that time, could not actually make free choices for ourselves. But others, our godparents, stood as our proxies, responding in our name to the call to die to sin and live in a way worthy of God’s own children. And, as we grew in the household of the faith, we renewed our baptismal commitment when we received the sacrament of confirmation; and we are given the opportunity to reaffirm this commitment frequently during our lives, particularly during the liturgy of the Easter vigil.

Baptism, in other words, entails the kind of choice rightly called a

commitment. It is, as Grisez notes, *the* fundamental option of the Christian,<sup>21</sup> whereby the Christian freely commits himself or herself to a life in union with Jesus. In and through this overarching choice the Christian is committed to share in Christ's redemptive work. Our task as Christians is to complete, in our own flesh, "what is lacking in Christ's afflictions for the sake of his body, that is, the church" (Col 1.24). Jesus wills that we, his members, complete the redemptive work that he has begun so that "we all attain to the unity of faith and of the knowledge of the Son of God, to mature manhood, to the measure of the stature of the fullness of Christ" (Eph 4.13), until Jesus "will change our lowly body to be like his glorious body, by the power which enables him even to subject all things to himself" (Phil 3.21). In and through baptism God pours into our hearts his very own life and love, and in receiving this superabundant gift, bequeathed to us by virtue of Jesus' saving death and resurrection, we in turn commit ourselves to cooperating with our Redeemer in his saving mission.<sup>22</sup>

Indeed, as St. Paul stresses in his letters to the Thessalonians, the first of which probably was written a short twenty years after the death and resurrection of Jesus, our entire life as Christians is to be a preparation for the parousia, when Jesus will return in glory to bring to final completion his saving mission. It is to this life of preparation that we commit ourselves in baptism. And since through baptism God's love has been communicated to us, making us his holy ones and children capable of walking worthily in the new life to which we have been raised, Paul's prayer is that the Lord may make us "abound and overflow in love toward one another and toward all men," in order to strengthen our hearts "blameless in holiness before our God and Father at the coming of our Lord Jesus with all his saints" (1 Thes 3.12-13); his prayer is that "the God of peace himself may sanctify [us] wholly," so that our whole being, "spirit, soul, and body, may be kept sound and blameless for the coming of our Lord Jesus Christ" (1 Thes 5.23-24). It is precisely because our life in Christ is to participate in his redemptive work and in this way prepare the way for his glorious second coming that Paul likewise prays that "God may make [us] worthy of his call, and may fulfil every good resolve and work of faith, so that the name of our Lord Jesus may be glorified in [us] and [we] in him, according to the grace of our God and Lord Jesus Christ" (2 Thes 1.11-12).<sup>23</sup>

Our life as Christians begins when, in living faith, we accept God's word (1 Thes 1.6; 2.13; Eph 1.13), which the gospels compare to a

seed sown in good soil (Mt 13.23; Mk 4.20; Lk 8.15), and which Paul regards as a continually active power in believers (1 Thes 2.13), having an inner power to bear fruit and grow (Col 1.5f; Eph 1.13; 2 Cor 6.1). But it is not enough simply to have received the word. The Christian's baptismal commitment requires him or her to take up the "sword given by the Spirit" and use it as a weapon in the spiritual combat (Eph 6.17).

God is indeed our Savior and Redeemer. It is through his initiative that we are *now*, by virtue of the love he has poured into our hearts, saved (Ti 3.5; Eph 2.5, 8; 1 Cor 15.1). He has sanctified us (1 Cor 1.2; 6.11), filling us with the fullness of Christ (Col 1.10), making us new men and women (Eph 2.15), clothing us in Christ (Gal 3.27) and making us new creatures (2 Cor 5.17), pouring his love into us through the Holy Spirit (Rom 5.5), so that we are indeed called by him and chosen (Rom 1.6; 8.28, 33; 1 Cor 1.24; Col 3.12) and made into his children, the children of light (Eph 5.8; 1 Thes 5.5; 1 Jn 3.1). But God's work in us is not completed by baptism. God continues to save us (1 Cor 1.18; 2 Cor 2.15), to make us holy and blameless (1 Thes 5.23; 3.13). And we are called and empowered by his grace to respond freely and be his co-workers in perfecting our holiness (2 Cor 7.1) by wholeheartedly dedicating ourselves to a life of righteousness and sanctification (Rom 6.19). It is our task continually to "put on the Lord Jesus Christ" (Rom 13.14), casting off the works of darkness and putting on the armor of light (Rom 13.2; Eph 5.8-11). As the children of the God who is love, our call and commitment is to "abide in him" (1 Jn 2.28; 4.13f) and walk in the light and not in darkness (1 Jn 1.7).

By reason of our baptismal commitment we are, in short, "to be what we are!"<sup>24</sup> We are to image Christ in our lives, to cooperate with him in redeeming others and, indeed, in redeeming the entire cosmos. We are to lead apostolic lives, for like the Apostles we too are sent into the world in the love and service of the Lord (cf. the final words of the Mass, when we are sent forth to bring God's saving work to others by our own daily deeds).

Such is the meaning of our baptism and our baptismal commitment. Jesus and his bride, the Church, give birth to us as children of God and brothers and sisters of the Lord. By freely accepting this God-given identity we commit ourselves to walk worthily in the vocation to which we have been called.

Christians have a common vocation or call to sanctity, to perfection: "as he who called you is holy, be holy yourselves in all your con-



duct, since it is written, 'You shall be holy, for I am holy' " (1 Pt 1.14-16). They therefore must keep the Lord's commandments, for only in this way will they truly love him: "Anybody who receives my commandments and keeps them will be the one who loves me" (Jn 14.21; cf. 1 Jn 2.5; 3.24; 4.21). And what are these? "If you wish to enter into life," Jesus tells us, "keep the commandments." And in reply to the rich young man who inquired about them he replied, "These: you must not kill. You must not commit adultery. You must not bring false witness. Honor your father and mother. And you must love your neighbor as yourself" (Mt 19.17-18). Christians are to walk in the same way that Jesus walked (cf. 1 Jn 2.6). And to follow Jesus is to make one's own his commitment to redeem: "If any man would come after me, let him deny himself and take up his cross and follow me. For whoever would save his life will lose it, and whoever loses his life for my sake and the gospel's will save it" (Mk 8.34-35). Thus Christians, in answering God's call and in carrying out their vocation, will shape their lives in accord with the teaching of the Church, their mother and Christ's spotless bride (on this, see Chapter Six). Above all, to remain faithful to their baptismal commitment and to carry out their vocation, Christians will love even as they have been and are loved by God in Christ: "This is my commandment, love one another as I have loved you" (Jn 15.12). In the following section of this chapter an effort will be made to show how Jesus' command to love even as he loves inwardly transforms and perfects the moral life of the Christian. My point here is that our common Christian vocation requires us to keep the commandments as these are understood within Christ's body, the Church, and to love even as Jesus loves.

But in addition to their common vocation, each Christian has a unique and irreplaceable vocation within the family of God, the Church. Not only are different Christians called to different ways of life in the world — the married life, the priestly life, the religious life, the life of a single person within the world — but within each state of life each Christian has his or her unique role to play in filling up what is lacking in Christ's afflictions and in bringing to completion his work of redemption. Vatican Council II, as Germain Grisez so aptly points out,<sup>25</sup> insists that each one of us has a personal vocation to carry out as a member of Jesus' people. Indeed, as the Council Fathers noted, "by our faith we are bound all the more to fulfill these responsibilities [our earthly ones as Christians] according to the vocation of each one" (*Gaudium et Spes*, n. 43). And, as Grisez likewise notes, the personal

vocation of each one of us as Christians is emphasized by Pope John Paul II, who seeks to build on the teaching of St. Paul, in his encyclical *Redemptor Hominis*. For in that document the Holy Father wrote: “For the whole of the community of the People of God and for each member of it what is in question is not just a specific ‘social membership’; rather, for each and every one what is essential is a particular ‘vocation.’ Indeed, the Church as the People of God is also — according to the teaching of St. Paul . . . , of which Pius XII reminded us in wonderful terms — ‘Christ’s Mystical Body.’ Membership in that body has for its source a particular call united with the saving action of grace. Therefore, if we wish to keep in mind this community of the People of God, which is so vast and so extremely differentiated, we must see first and foremost Christ saying in a way to each member of the community, ‘Follow Me’ ” (*Redemptor Hominis*, n. 71).

Personal vocation is each individual Christian’s unique way of following Jesus, of walking in his path. Jesus needs the special contribution each one of us can make to complete his work of redemption. Thus, as Grisez says, “Not only do all Christians share the common vocation to follow Jesus and not only do particular Christians share the vocation to particular states of life, but each Christian also has a personal vocation: his or her unique way of following Jesus.”<sup>26</sup>

Thus, by our baptismal commitment we are persons who have chosen to accept God’s saving word in faith and to shape our lives in accord with the demands of living faith. As new creatures, begotten anew in Christ Jesus, we are called to a life of perfection, with the responsibility to order our choices and lives in accordance with the commandments of the Lord as these are proposed to us by his bride, the Church (on this, see Chapter Six). In addition, each one of us has a unique personal vocation, an indispensable role to play in bringing Christ’s work of redemption to completion. In order to carry out this role, however, we need help. And Jesus, our best and wisest friend, gives us this help in the form of the “law” of the new covenant, his “law” of love. To this we will now turn our attention so that we can see how this divinely given law fulfills, perfects, and transforms the natural law that we considered in Chapter Two.

#### **4. Christian Love, the Principle of Our Life in Christ**

In order to introduce this section, it will be useful, I believe, to note some of St. Thomas Aquinas’s observations on the new “law” of the gospel, the law of love. As will be recalled, one of the principal

reasons the Common Doctor of the Church advanced for humankind's need of a divinely revealed law, in addition to natural law, if human persons are to be fully the beings God wills them to be, is the fact that they are, in truth, called to an end that surpasses human understanding and human capacity, namely, life eternal with God himself, a life that begins here and now. To enable his children to attain this end and to live worthily as his children, God gave them a "law." This divinely revealed law, given in its preliminary form to Moses and the Chosen People of the old covenant when it was written on stones, was communicated in its fullness to human beings by Jesus, God's Son and our brother, when he established the new and everlasting covenant between God and his people and inscribed this law in their hearts. And, as St. Thomas teaches, what is "most powerful in the law of new covenant, and in which its whole power consists, is the grace of the Holy Spirit, which is given through faith." Therefore, he continues, "the new law is first and foremost the very grace of the Holy Spirit, which is given to Christ's faithful."<sup>27</sup> This law not only gives us the knowledge of what we are to do if we are to be fully the beings we are meant to be, it also inwardly enables us, St. Thomas says, to *do* everything necessary to live fully as God wills us to.<sup>28</sup> In fact, although we are still capable of sinning even though we have been reborn in the Spirit until we are confirmed in glory, the new law given to us in Jesus, "insofar as it is considered in itself, gives us sufficient help so that we can avoid sin."<sup>29</sup> For the new law divinely inscribed in our hearts by God himself is precisely the "law of love."<sup>30</sup>

As we have seen in our study of natural law in Chapter Two, the twofold law of love of God and neighbor is, as St. Thomas and the Catholic tradition maintain, the basic moral norm for discriminating between choices that are morally upright and those that are morally bad. This is the law of love divinely revealed to Moses and the people of the Old Covenant. Our Lord himself, in answering the question "Which is the greatest commandment of the Law?" — i.e., the divinely revealed law given to the Chosen People through Moses, referred to key passages in the Old Testament (Dt 6.5 and Lv 19.18), and said, "'You must love the Lord your God with all your heart, with all your soul, and with all your mind.' This is the greatest and the first commandment. And the second is like to it: 'You must love your neighbor as yourself'" (Mt 23.37-39; cf. Mk 12.28-34; Lk 10.25-29). From this twofold law of love are derived, as we have seen, the Ten Commandments.<sup>31</sup> Moreover, as we have seen, this twofold law of love of God

and neighbor can be articulated in a more philosophical way as follows: "In voluntarily acting for human goods, and avoiding what is opposed to them, one ought to choose and otherwise will those and only those possibilities whose willing is compatible with a will toward integral human fulfillment."<sup>32</sup> Jesus himself reaffirms this "law" and its requirements.

But Jesus does more than this, for the "law" he writes in our hearts through the gift of the Holy Spirit in baptism inwardly transfigures and fulfills this law of love. He gives to us a new commandment, for we, his brothers and sisters, risen now to a new life and able, in, with, and through Jesus to call God our Father, must love even as we have been and are loved by God in Christ. "A new commandment I give to you: love one another even as I have loved you, you also must love one another. By the love you have for one another, everyone will know that you are my disciples" (Jn 13.34). Like Jesus, we must be ready to lay down our lives for our brothers and sisters (cf. Jn 15.12-14; 1 Jn 3.16). As Grisez notes, "these characteristics of Jesus' love result from a more fundamental principle: His human love for us is rooted in his divine love, which he receives in being begotten by the Father and which he shares with us. Thus he says, 'As the Father has loved me, so have I loved you; abide in my love' " (Jn 15.9).<sup>33</sup> The demand to love even as we have been and are loved by God in Jesus is what is *new* in the divine law communicated to us by the grace of the Holy Spirit. As God's sons and daughters, Christians must love as God's only-begotten Son-made-man loves.

Moreover, God, who is love (cf. 1 Jn 4.8), pours his own life and love into our being when we, through baptism (and through the renewal of our baptismal commitment throughout our lives), accept his word in living faith. His own life and love are given to us through the Holy Spirit because of the redemptive work of Jesus. And his love, present within us, is *the* principle or source of our lives as his children. Empowered now to walk worthily in the vocation to which we are called, we Christians are now able to love even as Jesus loves. Because this is so, the basic moral norm of love of God and neighbor, philosophically articulated as above, is inwardly transformed. As Grisez perceptively says, "Christian love transforms the first principle of morality into a more definite norm: One ought to will those and only those possibilities which contribute to the integral human fulfillment being realized in the fulfillment of all things in Jesus."<sup>34</sup>

Our moral life is, as we have seen, our way of cooperating with

Jesus' redemptive act. In addition, since every act of each Christian's life should contribute to the carrying out of the unique vocation to which each Christian is called, everything in our lives should be transformed by Christian love, the love that God himself pours into our hearts and in which we are to "abide." It thus follows that every one of our personal choices, every act in our lives, should be inwardly shaped by a more than human love, by the divine love that God himself communicates to us through his Holy Spirit through the mediation of his eternally begotten Son-made-flesh, Jesus Christ. As the inner principle of the Christian moral life, the love given to us by God himself gives us the power to live as his children, to unite our own personal acts with the saving act of Jesus, and to carry out faithfully our own personal vocation.

### **5. The Beatitudes, Specifying the Requirements of Christian Love**

According to St. Thomas Aquinas, the Lord's Sermon on the Mount (Mt 5) "contains completely the information needed for the Christian life. In it the inner movements of the person are perfectly ordered."<sup>35</sup> In saying this, St. Thomas was simply reaffirming a Christian tradition going back to the Fathers of the Church. Indeed, as St. Augustine so aptly said, "If a person will devoutly and calmly consider the sermon which our Lord Jesus Christ spoke on the mount, I think he will find in it, as measured by the highest norms of morality, the *perfect pattern of the Christian life*"<sup>36</sup> (emphasis added). Moreover, as Grisez notes, in his *The Credo of the People of God* Pope Paul VI stresses the beatitudes in his summary of Jesus' moral teaching. Our Lord announced and established the kingdom, gave to his disciples the new commandment to love one another as he does, and "taught us the way of the Beatitudes of the gospel: poverty in spirit, meekness, suffering borne with patience, thirst after justice, mercy, purity of heart, will for peace, persecution suffered for justice' sake."<sup>37</sup> By linking the beatitudes so intimately with the commandment to love as Jesus does, Pope Paul infers that the beatitudes can be regarded as the model summary of the uniquely Christian content of Jesus' moral teaching.

How does our Lord's Sermon on the Mount, with its beatitudes, relate to Christian love? After briefly reviewing some material already discussed in order to provide a framework within which the Sermon on the Mount can be fitted, I will attempt to provide some understanding of this matter.

We have already seen how our union with Jesus and commitment to carry out our personal vocation and in this way share in his redemptive work inwardly changes our lives. We have also seen that Christian love, the principle of our new life in Christ and the divinely given “law” of the gospel, fulfills, completes, and transforms the natural law, whose basic normative principle, religiously expressed as love of God and love of neighbor and philosophically articulated as a readiness to choose and otherwise will those and only those possibilities compatible with a will toward integral human fulfillment. It does so because in order to love even as we have been and are loved by God in Christ we, Christ’s brothers and sisters, are to will those and only those possibilities which contribute to the integral human fulfillment being realized in the fulfillment of all things in Jesus.

The beatitudes (or blessings) promised by our Lord to his faithful disciples in his Sermon on the Mount, are rooted in the new command that Jesus gave us to love as he loves. In my opinion, the most significant attempt by a contemporary Catholic theologian to show how the beatitudes are related to Christian love is found in the work of Germain Grisez, who seeks in this way to develop the long Christian tradition, affirmed by St. Augustine and St. Thomas, that the Sermon on the Mount is indeed the charter of our lives as Christians. Much of what follows, accordingly, will be my attempt to summarize Grisez’s thought on this subject.<sup>38</sup>

In Chapter Two we saw that the first moral principle of the natural law — the twofold law of love of God and neighbor, of willing integral human fulfillment — was specified by the various “modes of responsibility” insofar as these modes specified ways of choosing that are incompatible with a respect for integral human fulfillment, with a heart open to the goods perfective of human persons and of the persons in whom these goods are meant to flourish.<sup>39</sup> Modes of Christian response, in a similar way, specify the requirements of the gospel law of Christian love, which fulfills and transforms the natural law. These modes of Christian response specify ways of acting that mark a person whose will, enlivened by the love of God poured into his or her heart, is inwardly disposed to act with the confidence born of his or her Christian hope, that integral human fulfillment is indeed realizable in union with Jesus. These are the modes characterizing the life of persons who, by reason of their living faith, are called “blessed” by the Lord, for the modes of Christian response ought, Grisez observes, to be regarded more as blessings than demands.<sup>40</sup> They are internal dis-

positions, inclining the Christian to do what is pleasing to God. They are Christian virtues, and as rooted in God's gift of his own life and love, they can rightly be considered as "gifts" of his Spirit.

What are these beatitudes? According to Matthew's account of the Sermon on the Mount they are the following: "Blessed are the poor in spirit, / for theirs is the kingdom of heaven. / Blessed are those who mourn, / for they shall be comforted. / Blessed are the meek, / for they shall inherit the earth. / Blessed are those who hunger and thirst for righteousness, / for they shall be satisfied. / Blessed are the merciful, / for they shall obtain mercy. / Blessed are the pure of heart, / for they shall see God. / Blessed are the peacemakers, / for they shall be called the children of God. / Blessed are those who are persecuted for righteousness' sake, / for theirs is the kingdom of heaven" (Mt 5.3-10).

Reflection on the beatitudes helps us understand that they propose norms of Christian life more specific than the commandment to love as Jesus does — the first principle of Christian morality. Yet they are not so specific as definite norms of Christian life, i.e., norms identifying the precise human choices and acts that one, as a Christian, is called upon to do here and now in carrying out his or her unique personal vocation. They are rather modes of Christian response, internal Christian dispositions or virtues, linked traditionally, as in the thought of St. Augustine and St. Thomas Aquinas, to the "gifts" of the Holy Spirit<sup>41</sup> as enumerated in Isaiah 11.1, "And the Spirit of the Lord shall rest upon him, the spirit of wisdom and understanding, the spirit of counsel and might, the spirit of knowledge and fear of the Lord," to which the Christian tradition, relying on the Vulgate translation of Isaiah, added the "spirit of piety."

When the beatitudes are considered within this framework, Grisez believes that the modes of Christian response can be expressed as follows:

1. To expect and accept all good, including the good fruits of one's work, as God's gift — for the "poor in spirit" understand that their achievements are only a share, given freely and generously by God, in his fullness. The virtuous disposition is humility; the Christian vice is pride. The corresponding gift of the Spirit is fear of the Lord. . .

2. *To accept one's limited role in the Body of Christ and fulfill it* — for the "meek" understand that submissiveness to God's will involves no loss or delay to their personal fulfillment. The virtuous disposition is "Christian dedication," while lukewarmness and minimalism are op-

posed to it. The corresponding gift of the Spirit is piety or godliness, an attitude of filial reverence and dutifulness toward God.

3. *To put aside or avoid everything which is not necessary or useful in the fulfillment of one's personal vocation* — for those who “mourn” (not only contrite sinners but all those who turn from transient goods to fulfillment in Jesus) understand that to be disposed to goodness itself frees one from the pursuit of particular, finite goods for their own sake. The virtuous disposition is detachment; worldliness and anxiety are opposed dispositions. The corresponding gift of the Spirit is knowledge, by which one discerns what belongs to faith and judges everything by its light.

4. *To endure fearlessly whatever is necessary or useful for the fulfillment of one's personal vocation* — for those who “hunger and thirst for righteousness” understand that they have nothing whatsoever to fear. The virtuous disposition is the faithfulness and heroism characteristic of the martyr, though required of all Christians, while weakness of faith and faintheartedness in the face of non-Christian standards are among the Christian vices. The corresponding gift of the Spirit is fortitude.

5. *To be merciful according to the universal and perfect measure of mercy which God has revealed in Jesus* — for those who “are merciful” understand that they are to be disinterested and selfless as God is. The virtuous disposition is mercy, compassion, service to others on the model of Jesus, while the opposed vice is a legalistic attitude toward others. The gift of the Spirit is counsel. . . .

6. *To strive to conform one's whole self to living faith, and purge anything which does not meet this standard* — for the “pure of heart” understand that in this life charity requires continuous conversion. The virtuous disposition is single-minded devotion to God, including a sense of sin and continuing conversion, while the Christian vice is reflected in mediocrity and insincerity. The corresponding gift of the Spirit is understanding.

7. *To respond to evil with good, not with resistance, much less with destructive action* — for “peacemakers” understand that the effort to live according to divine love must be universally conciliatory. The virtuous disposition is the conciliatoriness which seeks the redemption of enemies; one opposed disposition is the tendency to shun evil instead of carrying on a redemptive ministry to those enslaved by it. The corresponding gift of the Spirit is wisdom, the power of putting in order as peacemakers do.

8. *To do no evil that good might come of it, but suffer evil together*



with Jesus in cooperation with God's redeeming love — for “those persecuted for righteousness' sake” understand that one must undergo evil in order to bring the evildoer in touch with perfect goodness. The virtuous disposition is self-oblation, the Christian vice the fragile rectitude of the person who does not wish to sin but seeks fulfillment in this world. Since there are only seven gifts, Augustine assigns none here; however, one might say there is a corresponding gift, unique to each Christian and disposing him or her to offer God the unique gift of himself or herself.<sup>42</sup>

## **6. The Question of Specific Christian Moral Norms**

The natural law — or what can be called the “common morality of humankind” — is brought to perfection and fulfillment by the new gospel law of love. But the natural law is *not*, however, annulled or contradicted by the new law of love. Christian love unequivocally requires that Jesus' brothers and sisters conform their choices and actions to the principles and norms of natural law — the principles and norms, including absolute or exceptionless norms, considered in Chapters Two and Three. Indeed, the Church, Christ's spouse and the bulwark of truth, insists steadfastly on the truth of these principles and norms, of which the Church is the “authoritative interpreter” (cf. *Dignitatis Humanae*, n. 14).

As we have seen, faith in Christ and the God-given love poured into the hearts of his faithful inwardly transform the basic principle of natural law and the modes of responsibility that further specify it. The Christian is to choose and otherwise will those and only those possibilities whose willing is compatible with the integral human fulfillment being realized in and through Jesus' redemptive work, the work in which each Christian is personally called to share. Uniting his or her life and actions with the redemptive life and action of Jesus, the Christian responds by choosing in such a way that his or her whole life embodies the virtues characteristic of those called “blessed” by the Lord.

Yet the question remains: Are there specific Christian moral norms, i.e., norms identifying ways of choosing and acting that are uniquely Christian and knowable only in the light of faith? On the one hand, it would seem that there are not, for the specific moral norms knowable by virtue of the basic principles of natural law and its modes of responsibility seem sufficient to order human choices and actions; so why are additional norms necessary? On the other hand, a study of Scripture, in particular the New Testament, and reflection on the

material previously set forth in this chapter would seem to indicate that there are moral norms specifically Christian in content. The gospels, in particular the gospel according to Matthew, describe Jesus as presenting a strikingly new and distinctive morality or way of life, one that as a whole surpasses in its content anything found in the Old Testament as well as in any other religion or philosophy. Jesus' command that we forgive our enemies and do good to those who persecute us, although perhaps suggested or foreshadowed in the moral teaching of others, is at the heart of a new and unique way of coping with evil, and all this is illustrated most perfectly in Jesus' own life, passion, and death (Mt 5.38-48; Mk 8.31-33; Lk 9.22). Jesus' disciples are called to carry their cross and follow him (Mt 16.24; Mk 8.34; Lk 9.23). And above all, Christians are to love as Jesus does (Jn 13.34-35). Finally, Paul's whole teaching on the union between Christ and his members implies that Christian love gives rise to specific norms unique to those who by faith live in Christ.

The question of specific Christian norms is the subject of much debate among Catholic theologians today. Many, including Charles E. Curran, Timothy E. O'Connell, Richard McCormick, Josef Fuchs, and Bruno Schüller, deny that there are norms specific to Christians.<sup>43</sup> While these theologians generally acknowledge that Christian faith provides motives and intentions for acting morally that are specifically Christian, they do not see the need for affirming the existence of norms identifying specific sorts of human choices and actions that are uniquely or distinctively Christian in character.<sup>44</sup>

At times these theologians invoke the authority of St. Thomas Aquinas to support their position, referring to a text in which St. Thomas affirmed that the new law of love added no directives for external actions above and beyond the directives provided by natural law.<sup>45</sup> Despite the fact that St. Thomas did indeed teach this, however, appeal to this text does not resolve the issue even on the grounds of St. Thomas's authority. For St. Thomas also taught quite clearly that there are specific Christian virtues, divinely given to those united to Christ through the outpouring of God's love, and that these virtues are the principles from which specifically Christian ways of acting proceed.<sup>46</sup> He likewise held that Christians are specifically obliged to fast and give alms.<sup>47</sup> The issue was never formally addressed as such by St. Thomas; a resolution of the question on the basis of his thought requires patient interpretation of different texts.

Other contemporary Catholic theologians insist that there are

specifically Christian moral norms. Among theologians holding this view are Hans Urs von Balthasar, Josef Ratzinger, Dionigi Tettamanzi, Bernhard Stoeckle, and Germain Grisez.<sup>48</sup> Here as elsewhere Grisez's thought is, in my opinion, very helpful and insightful, succinctly synthesizing important biblical perspectives and elements noted by some of the other authors mentioned.

The common basis of these authors' claim that there are specifically Christian moral norms is the existential condition of humankind. As we have already seen, because of sin, original and personal, it is difficult for us both to know and to do the good. Thus, even with respect to specific moral norms that are, in principle, knowable in the light of natural law principles, divine revelation is needed. In short, moral truth about *some* matters *can* be securely known without divine revelation, but moral truth about *other* matters can be known *securely* only because God has revealed what truly ought to be done (cf. Vatican Council I, *Dei Filius*, c. 2; DS 3003, 3004, 3005). This, however, does not show the need for norms specifically Christian in content and knowable *only* in the light of divine revelation. But in addition to being fallen and sinful creatures, human persons are *now*, by virtue of Christ's redemptive work and their union with him, *new* creatures, truly members of the divine family and capable of living a new kind of life and, in truth, of sharing in Christ's work of redeeming sinners and the world. Thus Christian faith can give rise to specific norms proper to the Christian way of life. "It does this," Grisez says, "by proposing options both possible for and appealing to fallen men and women — options which either cannot be conceived without faith or would lack sufficient appeal to be considered in deliberation in the absence of Christian hope. Specific moral norms are generated only when proposals are articulated as appealing possibilities for choice. Thus, by advancing fresh proposals, faith generates specific norms which could not be known without it."<sup>49</sup> Thus, by taking into account the actual existential situation of men and women as fallen and redeemed, Christian faith can and does give rise to specific moral norms. One specific moral norm for the Christian is that he or she "should find, accept, and faithfully carry out [his or her] personal vocation."<sup>50</sup>

In addition, as one carries out one's personal vocation to follow Jesus and to cooperate with him in his redemptive work, new alternatives and possibilities will be suggested as specific ways of implementing this vocation. This is indeed the situation that was seemingly in St. Thomas's mind when he said that "just as sense and

movement flow from the natural head to its [bodily] members, so from the spiritual head, who is Christ, flow to his members both a spiritual sense, which consists in the knowledge of the truth, and a spiritual movement, which operates through the inspiration of grace.”<sup>51</sup>

To summarize, Christian faith, while in no way annulling or contradicting the principles and norms of natural law, inwardly transforms its basic normative principle by showing how integral human fulfillment is to be realized by cooperating with Christ’s redemptive work and likewise inwardly transforms its modes of responsibility into Christian modes of responding in ways characterizing those whom the Lord calls “blessed.” In addition, taking realistically into account the existential condition of human persons as wounded by sin but now, by virtue of Jesus’ saving act, capacitated to live truly as God’s own children, it also proposes specific norms for each Christian as he or she discerns and faithfully implements his or her unique personal vocation to follow Jesus and help bring to completion his redemptive work.

## ***7. The Practicality of the Christian Moral Life***

Is the Christian moral life, as outlined in the previous pages, truly capable of being led? Or is it simply an unattainable ideal, utterly unrealistic and incapable of achievement? Is it, moreover, rigoristic in its demands, placing intolerable burdens upon people without considering their weakness and frailty?

In some senses the Christian moral life is an ideal because to live it requires a determined and lifelong effort in the face of serious obstacles and, at times, personal failure. In this sense being just and chaste and courageous in our lives is also an ideal. It is likewise an ideal to be honest in one’s business dealings, to refuse to cheat on one’s income tax when “everyone else” is doing so, and to be a good parent. But simply because it is at times very hard to be just and chaste and courageous, to be honest in our business dealings and social responsibilities, and to be good parents no one would conclude that these are impossible and unrealizable ideals. The requirements to be just, to be good parents, etc., are binding norms, not electives, for the morally upright person. So too, for the Christian, being all this and, in addition, loving God with our whole heart and soul and strength and our neighbors as ourselves, and, indeed, loving others even as Jesus does are not optional electives but requirements of the new law of love.

To forgive our enemies, to return good for evil, to suffer evil and,

by doing so, to share in Jesus' redemptive work are all strictly binding demands of Christian love. To act in this way is *not*, for the Christian, a nebulous ideal to be achieved in some Utopia but a requirement of the Christian life and the only realistic way to overcome evil in our lives and in the world.

We are called to be perfect, even as our heavenly Father is perfect. And perfection consists in living a life of Christian love. Our perfection, of course, will not be completed until the resurrection, but it begins *here and now*, because, as a result of God's gracious initiative, we are, by reason of our union with Jesus, already his children. His own life, his love, is within us, and we are to abide in his love (cf. 1 Jn 4.16) and in this way day by day grow in holiness and love by participating ever more deeply in the love that he pours into our hearts.

Christians frequently fail, at times blamelessly, to live as love requires. No one is held to the impossible. One cannot be morally responsible for anything that one cannot truly choose to do either because it does not occur to one, because one can see no point in doing it, or because one can think of no way to begin doing it. And at times each one of us is in this sort of situation, so that it is subjectively not possible to do what Christian love requires. But obstacles of this kind can be overcome as we mature in the faith and come to realize ever more deeply what our baptismal commitment entails.

It is also true that we frequently fail to live Christian lives because of our own neglect and sinful choices. Even Peter, the apostle whom Jesus chose to be the rock on which to build his Church, cowardly abandoned his Lord. And each one of us is painfully aware of our own betrayals of Jesus. But Jesus in his love and mercy is ready to bring us reconciliation and give to us again and again the love that is life if we are willing to repent our sins and accept the forgiveness he wills to give us.

The biggest problem, I believe, in living the Christian life and in carrying out faithfully our personal vocation is that we want to hold back. We refuse to give ourselves to the God of love, to let him take possession of us and come to abide in us. Like St. Augustine, who once said, "Give me chastity, O Lord, but not yet,"<sup>52</sup> we want God's love to abide in us and to abide in it, but not yet — because we know that if this happens we will have to give up some things to which we are attached and which we find attractive despite their irreconcilability with a truly Christian life. Our need is to put first things first — the

love of God and of others even as they have been and are loved by God in Christ. If, with God's never-failing help, we do this, we will mature in Christ and abide ever more deeply in his Father's love.

The Christian moral life, moreover, is *not* rigoristic. It is not a legalistic code of do's and don'ts, arbitrarily imposed upon us from without in order to restrict our liberty. Rather, the life of Christian love is an internal demand of our nature as redeemed by Christ and, in, with, and through him, raised to the level of the divine. For, as we have seen already, in Christ we are divinized, made sharers in his divinity just as he shares our humanity, so that we are in truth his brothers and sisters, children of his Father. By abiding in God's love and cooperating with Jesus in his redemptive work we will indeed achieve integral human fulfillment, we will become truly the beings God wills us to be.

To put matters another way, if we live up to our baptismal commitment and endeavor day by day to carry out our personal vocation, we will be able to live the Christian life. As the Council of Trent said, "Therefore, in this way the justified become both the 'friends of God' and members of his household (see Jn 15.15; Eph 2.19), advancing from virtue to virtue (see Ps 83.8), renewed (as the Apostle says) day by day (see 2 Cor 4.16), that is, by mortifying the members of their flesh (see Col 3.5) and showing them as weapons of justice (see Rom 6.13, 19) unto sanctification by observing the commandments of God and of the Church. When faith works along with their works (see Jas 2.22), the justified increase in the very justice which they have received through the grace of Christ and are justified the more, as it is written, 'He who is just, let him be just still' (Rv 22.11), and again, 'Fear not to be justified even to death' (Sir 18.22), and again, 'You see that by works a man is justified, and not by faith only' (Jas 2.24). Indeed, the holy Church begs this increase of justice when she prays, 'O Lord, give us an increase of faith, hope, and charity' " (Council of Trent, DS 1535).

If we are, moreover, to live our lives as faithful followers of Jesus, we need to make use of the aids he wills to give us in our struggle. We cannot live as Christians unless, like Jesus himself, we give ourselves over to prayer, to communion with God, in a colloquy in which we present to him our needs and ask him for his help, praising and thanking him for his boundless goodness to us. We need, above all, to remain close to Jesus by receiving with devotion and love his body and blood in the Eucharist and coming to him in the confessional when

we have sinned or have need of advice as to what we ought to do to live as his faithful disciples. Jesus, our best and wisest friend, is the great “enabling factor” of our moral lives, but he cannot help us if we do not let him do so.

Long ago St. Augustine said, “God does not command the impossible, but by commanding he admonishes you that you should do what you can and beg him for what you cannot.”<sup>53</sup> At the Council of Trent the Church made these words of St. Augustine its own (DS 1536). While the Christian life may at times seem to be an impossible ideal, it is possible because of God’s grace. For fallen mankind it cannot be attained, but for men and women who have been regenerated in the waters of baptism and nourished with the body and blood of Christ it can. For, like Jesus, their one desire is to do what is pleasing to the Father.

“The love of God,” wrote the author of the first epistle of John, “is this, that we keep his commandments. And his commandments are not burdensome; for whoever is begotten of God conquers the world” (1 Jn 5.3-4). Commenting on this text, St. Augustine wrote, “These commandments are not burdensome to one who loves, but they are so to one who does not.”<sup>54</sup> St. Thomas referred to this text of Scripture and Augustine’s comment on it when he took up the question “Is the new law of love more burdensome than the old law?” He noted that it is indeed more difficult to govern one’s inner choices in accord with the demands of Christian love than to control one’s external actions. But he went on to say that the difficulty is present when one lacks the inner power or virtue to live the life of Christian love. But, and this is his major point, for the virtuous person, the one into whom God’s own love has been poured and who abides in this love, what is seemingly difficult becomes easy and light.<sup>55</sup> Thus Jesus, who demands that his disciples take up their cross daily and follow him, likewise says, “Take my yoke upon you and learn from me, for I am meek and humble of heart, and you will find rest for yourselves. For my yoke is easy, and my burden light” (Mt 11.29-30).<sup>56</sup>

In addition, we Christians know that even now we share in God’s own life; we are, in short, *new* creatures, God’s own children and members of his family; we also know that, if we are faithful to the Word communicated to us, our life in Christ will be fully perfected in the life to come, where we will find, transfigured and freed of all imperfection, the fruits of our own human choices and actions (cf. *Gaudium et Spes*, nn. 38-39).

In sum, the Christian life is practicable and realistic; but it is so only because of God's unfailing help.

## CONCLUSION

In this chapter we have seen the basic requirements of the Christian moral life and its uniqueness and distinctiveness. It is this life that the Church proposes to us. In the next and final chapter our attention will turn to consider the role of the Church and its teachings in our moral life.

### Notes for Chapter Five

1. St. Thomas Aquinas, *Summa Theologiae*, 1-2, 91, 4: "Praeter legem naturalem et legem humanam, necessarium fuit ad directionem humanae vitae habere legem divinam. . . . Primo quidem, quia per legem dirigitur homo ad actus proprios in ordine ad ultimum finem. . . . Sed quia homo ordinatur ad finem beatitudinis aeternae, quae excedit proportionem naturalis facultatis humanae . . . ideo necessarium fuit ut supra legem naturalem et humanam, dirigeretur etiam ad suum finem lege divinitus data. Secundo, quia propter incertitudinem humani iudicii, praecipue de rebus contingentibus et particularibus, contingit de actibus humanis diversorum esse diversa iudicia, ex quibus etiam diversae et contrariae leges procedunt. Ut ergo homo absque omni dubitatione scire possit quid ei sit agendum et quid vitandum, necessarium fuit ut in actibus propriis dirigeretur per legem divinitus datam, de qua constat quod non potest errare."

2. Ibid., 2-2, 22, 1, ad 1: "ad ea etiam ad quae naturalis ratio inclinatur, sicut sunt actus virtutum moralium, necesse fuit praecepta legis divinae dari, propter maiorem firmitatem, et praecipue quia naturalis ratio hominis obtenebrata erat per concupiscentias peccati."

3. On this, see John Macquarrie, *Three Issues in Ethics* (New York: Harper and Row, 1970), pp. 119-125, where he discusses "enabling" and "disabling" factors in our struggle to know and do the good.

4. Here it is worthwhile to consider what Bernard Lonergan, S.J., has to say with respect to the fact that we enter a world "mediated by meaning." See his *Method in Theology* (New York: Herder and Herder, 1972), pp. 18-25.

5. Piet Schoonenberg, S.J., *Man and Sin*, trans. J. Donceel (Notre Dame, IN: University of Notre Dame Press, 1968), p. 104. See also pp.



112-117, where Schoonenberg discusses the negative effects of bad example, bad example with pressure, and the obscuring of norms and values.

6. Pope Paul VI, *The Credo of the People of God*, n. 16, as found in Candido Pozo, S.J., *The Credo of the People of God: A Theological Commentary*, trans. Mark Pilon (Chicago: Franciscan Herald Press, 1980), p. 103. Pozo's commentary on Paul's teaching, pp. 104-118, is very helpful.

7. The Fathers of the Council of Trent, in setting forth Catholic teaching on original sin, took for granted what is today called "monogenism," i.e., the view that all human persons derive from a single couple, Adam and Eve. Because of evolutionary theory and the evidence in support of it, some contemporary theologians think that monogenism is unlikely and therefore support the view called "polygenism," i.e., the view that at the beginning of the human race stands not a single couple but a population of "many" first parents. Both Pope Pius XII (in his 1951 encyclical, *Humani Generis* [see DS 3897]) and Pope Paul VI (in his "Original Sin and Modern Science: Address of Pope Paul VI to Participants in a Symposium on Original Sin," *The Pope Speaks* 11 [1966] 234) warn that polygenism *appears* incompatible with the received teaching of the Church on original sin. But it is not clear that either of these popes intended to propose definitively that monogenism must be held. Consequently, as Germain Grisez has noted (*The Way of the Lord Jesus*, Vol. 1, *Christian Moral Principles* [Chicago: Franciscan Herald Press, 1983], p. 340): "if a Catholic can show how polygenism is compatible with the essential elements of the Church's teaching on original sin, then he or she may admit polygenism on the evidence for it." On this entire issue Grisez's treatment (*ibid.*, pp. 339-341) is most helpful. Of value too are Pozo, *The Credo of the People of God: A Theological Commentary*, pp. 108-112, and O. W. Garrigan, "Monogenism," *New Catholic Encyclopedia* (New York: McGraw-Hill, 1968) 9.1063-1064.

8. DS 1513.

9. St. Augustine, *Sermo* 193; *Patrologiae Cursus Completus: Series Latina* (hereafter PL) 38.1334.

10. St. Thomas Aquinas, *Summa Theologiae*, 1-2, 108, 4, sed contra: "Christus maxime est sapiens et amicus."

11. *Ibid.*, 106, 1: "Principaliter lex nova est ipsa gratia Spiritus Sancti, quae datur Christi fidelibus."

12. *Ibid.*, 3, 69, 5: "Per baptismum aliquis regeneratur in

spiritualem vitam, quae est propria fidelium Christi; sicut Apostolus dicit (Gal 2.20), ‘Quod autem nunc vivo in carne, in fide vivo Filii Dei.’ Vita autem non est nisi membrorum capiti unitorum, a quo sensum et motum suscipiunt. Et ideo necesse est quod per baptismum aliquis incorporetur Christo quasi membrum ipsius. Sicut autem a capita naturali derivatur ad membra sensus et motus, ita a capite spirituali, quod est Christus, derivatur ad membra eius sensus spiritualis, qui consistit in cognitione veritatis, et motus spiritualis, qui est per gratiae instinctum. Unde Joan. 1 (14) dicitur, ‘Vidimus eum plenum gratiae et veritatis, et de plenitudine eius omnes accipimus.’ Et ideo consequens est quod baptizati illuminentur a Christo circa cognitionem veritatis, et fecundentur ab eo fecunditate bonorum operum per gratiae infusionem.”

13. Grisez develops this truth magnificently in *Christian Moral Principles*, ch. 24, “Christians: Human Children of God,” pp. 573-598, with a wealth of documentation from Scripture, Vatican Council II, St. Thomas, and other sources.

14. Ibid., p. 794.

15. St. Leo the Great, *Sermo* 63; PL 54.3576.

16. Grisez, *Christian Moral Principles*, pp. 463, 472.

17. On this matter, see Pierre Benoit, O.P., *Jesus and the Gospel*, trans. Benet Weatherhead (London: Darton, Longman and Todd, 1979), Vol. 1, pp. 58-67.

18. *Roman Missal*, Introduction, 2.

19. Grisez, *Christian Moral Principles*, p. 554; cf. Chapter 33, pp. 789-806, for a rich development of this idea.

20. Ibid., p. 553.

21. Ibid., p. 551.

22. On this theme, see George T. Montague, S.M., *Maturing in Christ* (Milwaukee: Bruce Publishing Co., 1964), pp. 193-230.

23. Montague gives rich commentary on this Pauline theme in *ibid.*, pp. 15-53.

24. Again, Montague, *ibid.*, pp. 92-100, offers a superb commentary on this matter and on the “constitutive-progressive” texts found in St. Paul. On this matter, cf. also Manuel Miguens, O.F.M., “On Being a Christian and the Moral Life: Pauline Perspectives,” in *Principles of Catholic Moral Life*, ed. William E. May (Chicago: Franciscan Herald Press, 1981), pp. 89-110.

25. Grisez, *Christian Moral Principles*, p. 559.

26. Ibid., p. 560.

27. St. Thomas Aquinas, *Summa Theologiae*, 1-2, 106, 1: "Id autem quod est potissimum in lege novi testamenti, et in quo tota virtus eius consistit, est gratia Spiritus Sancti, quae datur per fidem Christi. Et ideo principaliter lex nova est ipsa gratia Spiritus Sancti, quae datur Christi fidelibus." An excellent commentary on St. Thomas's teaching on the new law, the very pinnacle of his moral thought, is provided by Servais Pinckaers, O.P., *Les sources de la morale chrétienne: sa méthode, son contenu, son histoire* (Fribourg and Paris: Editions Universitaires and Editions du Cerf, 1985), pp. 174-195.

28. *Summa Theologiae*, 106, 1, ad 2: "lex nova est indita homini, non solum indicans quid sit faciendum, sed etiam adiuvens ad implendum."

29. Ibid., 106, 2, ad 2: "lex nova . . . quantum est de se, sufficiens auxilium dat ad non peccandum."

30. Ibid., 107, 1, ad 2: "lex nova, cuius principalitas consistit in ipsa spirituali gratia indita cordibus, dicitur *lex amoris*."

31. See above, Chapter Two, pp. 43-47.

32. See above, Chapter Two, p. 65; see also Grisez, *Christian Moral Principles*, p. 184.

33. Grisez, *Christian Moral Principles*, p. 604.

34. Ibid., p. 605.

35. St. Thomas Aquinas, *Summa Theologiae*, 1-2, 108, 3: "Sermo quem Dominus in Monte proposuit (Matt 5), totam informationem Christianae vitae continet. In quo perfecte interiores motus hominis ordinantur."

36. St. Augustine, *The Lord's Sermon on the Mount*, I.1; trans. John J. Jepson, S.S., in *Ancient Christian Writers*, No. 5 (Westminster, MD: The Newman Press, 1948), p. 11. On this, see also Pinckaers, *Les sources de la morale chrétienne*. . . , pp. 150-173.

37. Pope Paul VI, *The Credo of the People of God*, n. 12; in Pozo, *The Credo of the People of God: A Theological Commentary*, p. 53.

38. Grisez, *Christian Moral Principles*, Chapter 26, "Modes of Christian Response," pp. 627-659.

39. See above, Chapter Two, pp. 68-70, and especially note 113, p. 95.

40. Grisez, *Christian Moral Principles*, p. 653; cf. pp. 628-629.

41. St. Augustine, *The Lord's Sermon on the Mount*, I.5, in the Jepson translation, pp. 18-21. St. Thomas Aquinas, *Summa Theologiae*. 1-2, 69, 1 and 3. In 1-2, 68, 1, Aquinas distinguishes the gifts from the virtues, maintaining that the gifts are added to virtues and enable one

to be led by the Spirit. Grisez, with others, does not see the need to distinguish so sharply between infused virtues and gifts of the Holy Spirit.

42. Grisez, *Christian Moral Principles*, pp. 654-655.

43. For the views of these theologians on this topic see: Charles E. Curran, *Catholic Moral Theology in Dialogue* (Notre Dame, IN: Fides, 1972), pp. 1-23; Timothy E. O'Connell, *Principles for a Catholic Morality* (New York: Seabury, 1978), pp. 199-209, 227; Richard A. McCormick, *Notes on Moral Theology 1965 through 1980* (Lanham, MD: University Press of America, 1981), pp. 299-303; Josef Fuchs, "Is There a Specifically Christian Morality?" in *Readings in Moral Theology, No. 2: The Distinctiveness of Christian Ethics*, ed. Charles E. Curran and Richard A. McCormick, S.J. (New York: Paulist Press, 1980), pp. 3-17; Bruno Schüller, S.J., "Christianity and the New Man: The Moral Dimension — Specificity of Christian Ethics," in *Theology and Discovery: Essays in Honor of Karl Rahner, S.J.*, ed. William J. Kelly, S.J. (Milwaukee: Marquette University Press, 1980), pp. 307-327.

44. Thus Fuchs, for example, clearly acknowledges that Christian faith determines the intentionality, motivation, and way of life that characterizes persons who seek to live as Christians. But he denies that faith specifies moral requirements unknowable without it and whose fulfillment is demanded by Christian love. See Fuchs, "Is There a Specifically Christian Morality?" pp. 14-16.

45. St. Thomas, *Summa Theologiae*, 1-2, 108, 2.

46. *Ibid.*, 1-2, 51, 4; 63, 3.

47. *Ibid.*, 2-2, 147, on fasting; 2-2, 32, on almsgiving.

48. For these authors see the following: Hans Urs von Balthasar, "Nine Theses in Christian Ethics," in *Readings in Moral Theology, No. 2: The Distinctiveness of Christian Ethics*, pp. 191-193; Josef Ratzinger, "Magisterium of the Church, Faith, Morality," in *Readings in Moral Theology*. . . , pp. 176-178; Dionigi Tettamanzi, "Is There a Christian Ethics?" in *Readings in Moral Theology*. . . , pp. 20-49; Bernard Stoeckle, "Flucht in das Humanum? Erwägungen zur Diskussion über die Frage nach dem Proprium christlicher Ethik," *Internationale katholische Zeitschrift (Communio)* 6 (1977) 312-324; Grisez, *Christian Moral Principles*, pp. 606-609, 664-666.

49. Grisez, *Christian Moral Principles*, p. 607.

50. *Ibid.*, p. 609.

51. St. Thomas Aquinas, *Summa Theologiae*, 3, 69, 5; text cited above in note 12.

52. St. Augustine, *Confessions*, 8.12.
53. St. Augustine, *De Natura et Gratia*, 43.50; PL 44.271.
54. Ibid., 69.72; PL 44.289.
55. St. Thomas Aquinas, *Summa Theologiae*, 1-2, 107, 4.
56. On the points developed in this section and on many others as well pertinent to the practicability of Christian morality, see Grisez, *Christian Moral Principles*, pp. 683-704.

CHAPTER  
**SIX**

# The Church as Moral Teacher

The purpose of this chapter is to examine the role of the Church as moral teacher. To achieve this purpose I will first examine the nature of the teaching authority or magisterium of the Church and the different ways in which this authority is exercised. I will then consider the question whether or not the magisterium has infallibly taught any specific moral norms. Finally, I will consider the nature of the response that Catholics are to give to authoritative but noninfallibly proposed magisterial teachings on moral questions. In connection with this final question I will take up the issue of dissent from Church teaching.

## ***1. Teaching and Pastoral Authority Within the Church***

Catholics believe that the Church is the “pillar of truth” (cf. 1 Tm 3.15). Jesus promised his apostles that he would not leave them orphans and that he would send his Holy Spirit to assist them (cf. Jn 14.16-17, 26; 15.26-27; 16.7-15; 20.21-22; Lk 24.49; Acts 1.8; 2.1-4). The role of the Holy Spirit paralleled that of the apostles; both bore witness to Jesus and communicated the truth revealed in him to the first Christian communities (cf. Jn 15.26-27). The Spirit revealed nothing new; rather, he helped the apostles to appropriate God’s revelation in Jesus (cf. Jn 16.13-15). Within the Church the apostles held first place (cf. 1 Cor 12.28), for upon them the Church is established, both now and forever (cf. Eph 2.20; Rv 1.8, 20). The apostles were chosen to receive God’s revelation in Jesus, but this revelation was not meant for them alone but for all humankind, to whom Jesus sent them to teach his truth (cf. Mt 28.20). The apostolic preaching, through which the revelation given by our Lord was communicated to the apostolic Church, was, as Vatican Council II affirmed, “to be preserved in a continuous line of succession until the end of time. Hence, the apostles, in handing on what they themselves had received, warn the

faithful to maintain the traditions which they had learned either by word of mouth or by letter (cf. 2 Th 2.15); and they warn the faithful to fight hard for the faith that had been handed over to them once and for all (cf. Jude 3). What was handed on by the apostles comprises everything that serves to make the People of God live their lives in holiness and increase their faith. In this way the Church, in her doctrine, life and worship, perpetuates and transmits to every generation all that she herself is, all that she believes" (*Dei Verbum*, n. 8).

Moreover, within the apostolic college Peter, the "rock" upon whom Jesus founded the Church (Mt 16.16) and the one to whom Jesus had given the charge to confirm his brothers (Jn 21.15-17), was primary; he was the head of the apostolic college. Catholic faith holds that the authority given by Christ to Peter and the other apostles to teach in Jesus' name still exists in the Church. It is vested in the college of bishops, who are the successors of the apostles; and just as headship within the apostolic college was divinely given to Peter, so too in the college of bishops this headship is, by God's will, given to Peter's successor, the bishop of Rome. Thus, Vatican Council II clearly teaches: "That divine mission, which was committed by Christ to the apostles, is destined to last until the end of the world (cf. Mt 28.20). . . . Moreover, just as the office which the Lord confided to Peter alone, as first of the apostles, destined to be transmitted to his successors, is a permanent one, so also endures the office, which the apostles received, of shepherding the Church, a charge destined to be exercised without interruption by the sacred order of bishops. This sacred synod consequently teaches that the bishops have by divine institution taken the place of the apostles as pastors of the Church, in such wise that whoever listens to them is listening to Christ and whoever despises them despises Christ and him who sent Christ (cf. Lk 10.16)" (*Lumen Gentium*, n. 20).

In short, the magisterium, understood precisely as the authority to teach in the name of Christ the truths of faith and "everything that serves to make the People of God live their lives in holiness" (*Dei Verbum*, n. 8) is entrusted to the college of bishops under the headship of the Roman Pontiff.<sup>1</sup> It is, moreover, necessary to emphasize, as did St. Thomas Aquinas in the Middle Ages, that this teaching office is essentially and primarily pastoral in nature, charged with the *cura animarum*, the "care of souls."<sup>2</sup> It is not, as some contemporary theologians seem to hold, primarily "jurisdictional" in character, concerned with Church discipline and order.<sup>3</sup> It is concerned rather with

*truths* of both faith and morals. Thus it teaches in Christ's name both truths that must be believed — such as those concerning the nature of God, his inner triune life, the mystery of the union of the divine and the human natures in the one person of Christ, and the like — *and* truths that must be lived, i.e., moral truths, the truths to which human choices and actions must be conformed if they are to be compatible with the life that Christians have received as adopted children of God, as living members of Christ's body, and temples of the Holy Spirit (cf. 1 Jn; 1 Cor 6).

This magisterium must also, as Avery Dulles has noted, “‘tune in’ on the theological wisdom” found in the community if it is to carry out its mission effectively.<sup>4</sup> But it is important to keep in mind that the magisterium has the responsibility and the right to discern where this wisdom lies. Theologians frequently differ among themselves; disputes and debates arise within the Church and within the community of theologians, and the magisterium has the obligation and the God-given charism and authority to settle these disputes when they affect the faith and life of the Church. It is the magisterium's responsibility to distinguish between theological positions that are compatible with the Church's own understanding of what Christian life is all about and those that are not — as Dulles himself acknowledges.<sup>5</sup>

According to Catholic faith, the magisterium invested in the college of bishops under the headship of the pope *always* teaches with the authority of Christ — a more-than-human authority. At times it proposes matters, whether of faith or of morals, infallibly, i.e., with the assurance that what is proposed is absolutely irreformable and a matter to be held definitively by the faithful. Teachings proposed in this way are to be given the assent of faith. At other times, it proposes matters of faith or morals *authoritatively and as true*, but not as absolutely irreformable. Although teachings proposed in this way do not require the assent of faith, they are to be received with “a religious submission (an ‘*obsequium religiosum*’) of will and mind,” and all the faithful, including pope, bishops, ordinary lay people, *and theologians*, are to accept these teachings as true.

It is crucially important to recognize that the magisterium can teach infallibly on matters of faith and morals in two different ways. First, a matter of faith or morals can be solemnly defined as such either by an ecumenical council or by the pope when, “as supreme shepherd and teacher of the faithful . . . he proclaims by a definitive act some doctrine of faith or morals” (*Lumen Gentium*, n. 25; cf. Vatican Coun-



cil I, DS 3074). It was in this way, for example, that the Council of Nicea defined the truth of faith concerning Christ's divinity and that the Council of Chalcedon defined the truth of faith concerning the union of the divine and human natures in the person of Jesus Christ. It was in this way too that Pope Pius IX defined the truth of the immaculate conception of the Blessed Virgin Mary and that Pope Pius XII defined that of her glorious bodily assumption into heaven. This way of teaching infallibly is called the *extraordinary* exercise of the magisterium.

Secondly, and it is crucial to acknowledge this, the magisterium can and does teach infallibly on matters of faith *and morals* in the ordinary, day-to-day execution of its pastoral mission if some very specific conditions are fulfilled. The "Dogmatic Constitution on the Church" (*Lumen Gentium*) of Vatican Council II clearly described these conditions. The relevant passage from that document, in which the Council Fathers summarize the constant and received tradition of the Church, reads as follows: "Although the bishops, taken individually, do not enjoy the privilege of infallibility, they do, however, proclaim the doctrine of Christ infallibly on the following conditions: namely, when, even though dispersed throughout the entire world but preserving for all that amongst themselves and with Peter's successor the bond of communion, in their authoritative teaching concerning matters of faith *or morals*, they are in agreement that a particular teaching is to be held definitively and absolutely" (*Lumen Gentium*, n. 25; emphasis added; cf. Vatican I, *Dei Filius*, DS 3011).

What the Fathers of Vatican Council II add to this passage is also most important to keep in mind, for they immediately say: "This is still more clearly the case when, assembled in an ecumenical council, they are, for the universal Church, teachers of and judges in matters of faith *and morals*, whose judgments must be adhered to with the loyal and obedient *assent of faith*" (ibid.; emphasis added).

Not all of the teachings of the magisterium are infallibly proposed. Nonetheless, those teachings of the magisterium on faith and morals that are not proposed infallibly — i.e., presented as definitive and irreformable — are still taught with the authority of Jesus Christ himself. Such teachings are "noninfallible," but it is necessary to understand precisely what this term means. It is a technical one to designate magisterial teachings that are *authoritatively* proposed, and proposed *as true and certain*, but not taught as absolutely irreformable. Teachings of this kind are not to be regarded as "fallible"

teachings, as if they were merely probable opinions or expressions of some “party line” or merely “official” policy. Rather, teachings, whether of faith or morals, proposed in this way are taught by the magisterium as truths that the faithful, including theologians, are to accept and in the light of which they are to shape inwardly their choices and actions. These teachings, precisely because they are taught with the more-than-human authority vested in the magisterium by the will of Christ, express the “mind” of Christ on the matters in question.<sup>6</sup>

Although such teachings, unlike teachings infallibly proposed, do not bind the consciences of Catholics *in faith*, they nonetheless are binding on the consciences of Catholics, requiring from the faithful a “ready and respectful allegiance of mind” (*obsequium religiosum*). When they speak authoritatively but noninfallibly, the “bishops who teach in communion with the Roman Pontiff,” so the Fathers of Vatican Council II remind us, “are to be viewed by all as witnesses of divine and Catholic truth; the faithful, on their part, are obliged to submit to their bishops’ teaching, made in the name of Christ, in matters of faith and morals, and to adhere to it with a ready and respectful allegiance of mind. This loyal submission of the will and the intellect must be given, in a special way, to the authentic teaching authority of the Roman Pontiff, even when he does not speak *ex cathedra*, in such wise, indeed, that his supreme teaching authority is acknowledged with respect, and that one sincerely adheres to declarations made by him, conformably with his manifest mind and intention, which is made known principally either by the character of the documents in question, or by the frequency with which a certain doctrine is proposed, or by the manner in which a doctrine is formulated” (*Lumen Gentium*, n. 25).

The nature of this “ready and respectful allegiance of mind,” this “loyal submission of the will and the intellect,” will be taken up in the final part of this chapter. The point here is that the authoritative, non-infallibly proposed teachings of the magisterium on matters of faith and morals are to be regarded by all Catholics as expressions of the mind of Christ and are to be accepted as true. Catholics should have a connatural eagerness to accept and embrace these teachings, to make them their own, and to conform their lives to them.

## **2. Have Any Specific Moral Teachings of the Church Been Infallibly Taught?**

All Catholic theologians agree that some moral teachings of the magisterium have been infallibly proposed, for instance, such univer-

sal and general principles that we are to love God and neighbor and that we are to act in accord with “right” reason.<sup>7</sup> This is not in dispute. What is in dispute is whether the magisterium has infallibly taught *any* specific moral norms, such as those absolutely forbidding intercourse outside of marriage, the intentional killing of the innocent, etc. Today many Catholic theologians deny that the Church has taught or even *can* teach infallibly on specific moral matters, and that consequently no specific moral norm taught by the magisterium (e.g., the norms forbidding fornication and adultery, the intentional killing of innocent human life, as in abortion) have been infallibly proposed. Charles E. Curran is the most well-known American advocate of this position, but it is one that is common to many, including Daniel Maguire, Richard Gula, Richard McCormick, Francis Sullivan, and others in the United States and elsewhere.<sup>8</sup>

Here I will first review briefly and criticize the reasons advanced by these revisionist theologians to support their claim that the magisterium has not and indeed *cannot* teach infallibly on specific moral norms. I will then present evidence and arguments to support the view that the magisterium can indeed teach infallibly on specific moral matters and that it has in fact taught in this way.

Revisionist theologians seek to support their claim in several ways. First, they claim that no specific moral teachings of the Church have been solemnly defined, and they appeal to canon law to support this claim. Thus Curran and his associates, writing in 1969, appealed to paragraph 3 of canon 1323 of the old 1917 *Code of Canon Law* (=canon 749 in the new 1983 *Code*). This paragraph reads: “No doctrine is to be understood to be infallibly defined unless this is manifestly demonstrated.” Curran and his colleagues then asserted that it is not manifest that any specific moral norms have been solemnly defined.<sup>9</sup>

The problem with this argument is that it limits “infallibly defined” to “solemnly defined.” For Curran and his associates conveniently — so it seems to me and others — ignore what the same canon has to say in the paragraph immediately preceding the one they cite, namely, that “The College of Bishops also possesses infallibility in its teaching when . . . the bishops, dispersed throughout the world but maintaining the bond of communion among themselves and with the successor of Peter, together with the same Roman Pontiff authoritatively teach matters of faith *or morals*, and are agreed that a particular teaching is definitively to be held.”<sup>10</sup> As can be seen, this canon — which was in-

cluded in the 1917 *Code* and repeated verbatim in the 1983 *Code* — sets forth the same teaching about the infallibility of the ordinary magisterium on matters of both faith and morals as did Vatican Council II in paragraph 25 of *Lumen Gentium*. In other words, Curran and other revisionist theologians simply do not consider whether any specific moral norms have been infallibly proposed by the ordinary day-to-day exercise of the magisterium, according to the criteria clearly articulated by the Fathers of Vatican Council II. Equating infallibly proposed teachings with *teachings solemnly defined*, they fail to take seriously the possibility that some specific moral teachings of the Church have been proposed infallibly by the ordinary exercise of the magisterium.

A second reason advanced by revisionist theologians to support their claim that the magisterium has not taught and indeed *cannot* teach infallibly on specific moral norms is intimately related to their denial of moral absolutes. As we saw in Chapter Three, they contend that specific moral norms are known inductively by the collaborative exercise of human intelligence by persons living together in communities and reflecting on common human experiences.<sup>11</sup> They then conclude that *no* specific moral norms can be absolute because of the ongoing and open-ended character of human experience. As a leading revisionist theologian, Francis Sullivan, puts it, “we can never exclude the possibility that future experience, hitherto unimagined, might put a moral problem into a new frame of reference which would call for a revision of a norm that, when formulated, could not have taken such new experience into account.”<sup>12</sup>

From this it follows, the revisionist theologians maintain, that the magisterium simply cannot teach infallibly on specific moral issues.<sup>13</sup>

Since this claim of revisionist theologians was examined in detail in Chapter Three and shown to be seriously flawed, there is no need here to repeat the critique already made.<sup>14</sup> Moreover, and I think that this is both relevant and important, the *Instruction on the Ecclesial Vocation of the Theologian*, issued by the Congregation for the Doctrine of the Faith on May 24, 1990, explicitly affirmed: “Revelation also contains moral teachings which *per se* could be known by natural reason. Access to them, however, is made difficult by man’s sinful condition. *It is a doctrine of faith that these moral norms can be infallibly taught by the Magisterium*” (n. 16, with reference to Vatican Council I, Dogmatic Constitution *Dei Filius*, ch. 2; DS 3005; emphasis added). In

short, this claim of revisionist theologians, in addition to being seriously flawed as specious moral reasoning (as shown in Chapter Three), is also *explicitly denied* by the magisterium itself.

Another reason advanced by revisionist theologians to bolster their contention that the magisterium has not and indeed cannot teach infallibly on specific moral issues is again closely linked to their denial of moral absolutes. They allege that so-called concrete human nature is subject to radical change and consequently that norms based on concrete human nature (as distinguished from “transcendental” human nature) are subject to change. Thus the “later” Karl Rahner, i.e., the post *Humanae Vitae* Rahner (the views of the “earlier” Rahner will be discussed below), claimed that the possible range of infallibly moral teaching extends to “hardly any particular or individual norms of Christian morality.”<sup>15</sup> To support his claim that infallibility is restricted to rather abstract and general norms (he seems to have had in mind norms urging us to do good and avoid evil and to avoid doing actions already qualified as immoral, such as *unjust* killing), he simply asserted that “concrete” human nature is subject to radical change.<sup>16</sup>

This allegation of revisionist theologians has been examined already, in Chapter Three, and found wanting. It is, therefore, not necessary to repeat this critique of revisionist thought here.<sup>17</sup>

From all this I conclude that the “arguments” advanced by revisionist theologians to support their contention that the magisterium has not taught and indeed cannot teach infallibly on specific moral issues are specious and question-begging. They have utterly failed even to consider the possibility that some specific moral teachings of the magisterium are, in fact, infallibly proposed insofar as they meet the criteria for infallibly proposed teachings that we find in paragraph 25 of Vatican Council II’s *Lumen Gentium*. The magisterium, after all, as we have seen, has the authority and obligation to lead the Christian people along a path of holiness and of a life compatible with their baptismal commitment. It can surely indicate negatively what sorts or kinds of human choices and actions are utterly irreconcilable with a life of holiness.

I believe — and so do other theologians<sup>18</sup> — that the core of Catholic moral teaching, as summarized by the precepts of the Decalogue (the Ten Commandments), precisely *as these precepts have been traditionally understood within the Church*, has been taught infallibly by the magisterium in the day-to-day ordinary exercise of the

authority divinely invested in it. We are not deliberately to kill innocent human beings; we are not to fornicate, commit adultery, engage in sodomy; we are not to steal; we are not to perjure ourselves. Note that I say that the core of Catholic moral teaching is summarized in the precepts of the Decalogue *as these have been traditionally understood within the Church*. Thus, for example, the precept “Thou shalt not commit adultery” has traditionally been understood unequivocally to exclude not only intercourse with someone other than one’s spouse (adultery) but also all freely chosen genital activity outside the covenant of marriage. This was precisely the way this precept of the Decalogue was understood by the Fathers of the Church, for example, St. Augustine,<sup>19</sup> by the medieval scholastics, and by all Catholic theologians until the mid-1960’s.

Thus, in discussing the sixth commandment, Peter Lombard, whose *Libri IV Sententiarum* was used as the basic text in Catholic theology from the middle of the twelfth century until the middle of the sixteenth century, stressed that this commandment required one to forbear from all nonmarital genital activity. Lombard, together with all medieval theologians and, indeed, all Catholic theologians until the very recent past, held that any sexual activity fully contrary to the purposes of marriage and of the sexual differentiation of the species into male and female was gravely sinful and a violation of this precept of the Decalogue.<sup>20</sup>

This is, in addition, the teaching found in the *Roman Catechism*,<sup>21</sup> and the teaching of this catechism on the precepts of the Decalogue is crucially important. The *Roman Catechism*, popularly known as *The Catechism of the Council of Trent*, was mandated by Trent, was written primarily by St. Charles Borromeo, was published with the authority of Pope St. Pius V in 1566, and was in use throughout the world until the middle of this century. It was praised by many popes, who ordered that it be put into the hands of parish priests and used in the catechetical instruction of the faithful. In 1721 Pope Clement XIII published an encyclical, *In Dominico Agro*, devoted to this catechism. In it he said that there was an obligation to use it throughout the universal Church as a means of “guarding the deposit of faith.” He called it the printed form of “that teaching which is common doctrine in the Church.”<sup>22</sup> Vatican Council I said that as a result of this catechism “the moral life of the Christian people was revitalized by the more thorough instruction given to the faithful.”<sup>23</sup> From all this, one can see the significance of the witness of this catechism to truths



both of faith and morals. It is a reputable witness to the ordinary, day-to-day teaching of bishops throughout the world in union with the Holy Father.

According to the *Roman Catechism*, keeping the precepts of the Decalogue is absolutely necessary for salvation,<sup>24</sup> and these precepts unequivocally and absolutely condemn as gravely immoral not only adultery and fornication but all sins of impurity, such as homosexual acts.<sup>25</sup> These precepts also — while allowing human persons to kill animals and other persons to defend their own lives by using lethal force against unprovoked attacks, and while acknowledging that duly authorized public officials could execute criminals and engage in a just war — absolutely condemn the killing of the innocent as well as suicide (or the deliberate killing of oneself).<sup>26</sup> In short, an examination of this catechism, universally used in the Church for many centuries with the approval of popes and local bishops, shows that it taught that observing many specific moral absolutes is unconditionally necessary for salvation. Surely this means that pope and bishops in union with him were “in agreement that particular teachings [namely, those just cited] are to be held definitively and absolutely” (cf. *Lumen Gentium*, n. 25).

This teaching of the *Roman Catechism* was in no way changed by Vatican Council II. It was, indeed, firmly reasserted. Recall that this Council, after affirming that matters of faith and morals can be taught infallibly in the day-to-day exercise of the magisterial authority by bishops throughout the world in union with the pope, insisted that this is even more the case when the bishops, assembled in an ecumenical council, act as teachers of the universal Church and as judges on matters of faith and morals. In the light of this clear teaching it is most important to examine some key statements made by the Fathers of Vatican Council II about *specific moral norms*. An examination of this kind shows, beyond the shadow of a doubt, that the bishops united at Vatican Council II under the leadership of the pope unambiguously insisted that certain specific norms proposed by the magisterium are to be held definitively by the faithful. In doing so, they fulfilled the conditions set forth in *Lumen Gentium* and noted already under which bishops can propose matters of faith and morals infallibly. For instance, after affirming the dignity of human persons and of human life, they unequivocally brand as infamous numerous crimes against human persons and human life, declaring that “the varieties of crime [against human life and human persons] are numerous: all offenses against life

itself, such as murder, genocide, abortion, euthanasia, and willful self-destruction; all violations of the integrity of the human person such as mutilations, physical and mental torture, undue psychological pressures; all offenses against human dignity, such as subhuman living conditions, arbitrary imprisonment, deportation, slavery, prostitution, the selling of women and children, degrading working conditions where men are treated as mere tools for profit rather than free and responsible persons; all these and their like are criminal; they poison civilization; and they debase their perpetrators more than their victims and militate against the honor of the Creator" (*Gaudium et Spes*, n. 22).

Some of the actions designated as criminal here are, it is true, described in morally evaluative language, such as "murder," "sub-human," "arbitrary," and "degrading." As so described, such actions are obviously immoral. But other actions unequivocally condemned as absolutely immoral in this passage are described factually, without the use of morally evaluative language, e.g., abortion, euthanasia, willful self-destruction (suicide), slavery, the selling of women and children. Specific moral norms proscribing such deeds are absolute, exceptionless.

Moreover, elsewhere in the same document we find that abortion and infanticide are called "abominable crimes" (*ibid.*, n. 51). In addition, in the same document the Council Fathers, recalling to mind the "universally binding principles of the natural law," brand as "frightful crimes" actions designed for the "reasoned and methodical destruction of an entire nation, race, or ethnic minority" (*ibid.*, n. 79) and declare that "every act of war directed to the indiscriminate destruction of whole cities or vast areas with their inhabitants is a crime against God and man, which merits firm and unequivocal condemnation" (*ibid.*, n. 80).

In view of these luminously clear statements, made by bishops "assembled in an ecumenical council" and "acting as teachers of and judges in matters of . . . morals" (*Lumen Gentium*, n. 25), it seems logical to conclude that Catholic moral teaching on the absolute immunity of innocent human life from direct attack is infallibly proposed according to the criteria set forth in *Lumen Gentium*, n. 25.

In short, Vatican Council II definitely affirms that the magisterium teaches infallibly on questions of morality when specific conditions are met. I submit that these conditions have been met with respect to the core of Catholic moral teaching as set forth in the precepts of the



Decalogue, *as these have been traditionally understood within the Church* (e.g., within the *Roman Catechism*). This conclusion, moreover, is corroborated by examining the teaching of the bishops assembled at Vatican Council II on the absolute inviolability of innocent human life from deliberate, intentional attack.

Currently (Spring, 1991), a committee of bishops is preparing a new *Catechism for the Universal Church*. Unfortunately, the final text of this crucially important document — which will seek to do for Vatican Council II what the *Roman Catechism* did for the Council of Trent — is not yet available. Yet it can be confidently asserted, I believe, that this *Catechism for the Universal Church*, like the *Roman Catechism* before it, will affirm that the Decalogue, *as understood within the Catholic tradition*, absolutely excludes as gravely immoral and utterly incompatible with the Christian life the deliberate killing of the innocent, adultery, fornication, sodomy, and similar sorts of acts. Norms proscribing these specific kinds of acts are absolute and exceptionless.

The truth that the core of Catholic moral teaching, as found in the Decalogue, is infallibly proposed by the magisterium, moreover, is by no means novel. It was the received teaching of theologians prior to Vatican Council II, as the following citation from the “early” Karl Rahner makes luminously clear: “The Church teaches these commandments [the Ten Commandments] with divine authority exactly as she teaches the other ‘truths of the faith,’ either through her ‘ordinary’ magisterium or through an act of her ‘extraordinary’ magisterium in *ex cathedra* definitions of the Pope or a general council, but also through her ordinary magisterium, that is, in the normal teaching of the faith to the faithful in schools, sermons, and all the other kinds of instruction. In the nature of the case this will be the normal way in which moral norms are taught, and definitions by Pope or general council the exception; but it is binding on the faithful in conscience just as the teaching through the extraordinary magisterium is. . . . *It is therefore quite untrue that only those moral norms for which there is a solemn definition . . . are binding in the faith on the Christian as revealed by God. . . .* When the whole Church in her everyday teaching does in fact teach a moral rule everywhere in the world as a commandment of God, she is preserved from error by the assistance of the Holy Ghost, and this rule is therefore really the will of God and is binding on the faithful in conscience.”<sup>27</sup>

This section has advanced arguments and evidence to support the

conclusion that the magisterium not only can teach infallibly on specific moral issues but that it has actually done so. The core of Catholic moral teaching, which is found in the precepts of the Decalogue, *as these precepts have been traditionally understood within the Church*, has been infallibly proposed, and this core includes specific moral norms. The arguments of revisionist theologians to support their claim that the magisterium has not taught and indeed cannot teach infallibly on specific moral issues are weak and based on false presuppositions.

### **3. What Response Should be Given to Moral Teachings of the Magisterium Proposed Authoritatively but Not Infallibly?**

As we have already seen, Vatican Council II teaches that the faithful, including theologians, are to give to authoritative but noninfallibly proposed magisterial teachings “a ready and respectful allegiance of mind,” and the “loyal submission of the will and intellect” (*Lumen Gentium*, n. 25). But exactly what does this mean? Many Catholic theologians today agree with Curran that this loyal submission of will and the intellect and this ready and respectful allegiance of mind are compatible with dissent from authoritative magisterial teachings. In 1969 Curran and his associates advanced the view that “it is common teaching in the Church that Catholics may dissent from authoritative, noninfallible teachings of the magisterium when sufficient reasons for doing so exist.”<sup>28</sup> This is still the position taken by Curran<sup>29</sup> and by revisionist theologians and is reflected in the textbooks on moral theology, intended to be used in seminaries, written by such authors as Timothy E. O’Connell and Richard M. Gula.<sup>30</sup>

Before examining the reasons that Curran and others advance to support their claim that “Catholics may dissent from authoritative, noninfallible teachings of the magisterium when sufficient reasons for doing so exist,” it will be useful to look more closely at the teaching of Vatican Council II on this question. The reason why it is important to do so is the fact that, as William B. Smith has pointed out, “the question of ‘Dissent’ as presently posed [e.g., by Curran and associates] is of relatively recent vintage.”<sup>31</sup> As Smith observes: “A careful review of the standard theological encyclopedias and dictionaries of theology finds no entries under the title of ‘Dissent’ prior to 1972. Standard manuals of theology did raise possible questions about the rare individual who could not give nor offer personal *assent* to formal

Church teaching, and such questions were discussed under treatments of the Magisterium or the Teaching of the Church, examining the status of such teaching and its binding force and/or extent."<sup>32</sup>

Nothing was said explicitly about dissent at Vatican Council II. However, the Theological Commission of the Council did respond to an emendation offered by three bishops in connection with the passage from *Lumen Gentium* that has already been cited, namely, that in which the Council Fathers said that "a ready and respectful allegiance of mind" (*obsequium religiosum*) and a "loyal submission of the will and mind" must be given to authoritative but noninfallibly proposed magisterial teachings. The three bishops had raised the theoretical possibility that a learned person, in the face of a doctrine not infallibly proposed, cannot, for well-founded reasons, give his internal assent (*interne assentire non potest*). What should such a person then do? The reply of the Theological Commission was that in such instances the "approved theological treatises should be consulted."<sup>33</sup> As Smith observes, "it should be noted that the question posed to the Commission concerned the *negative* inability to give positive assent . . . which is not at all the same as a *positive right* to dissent."<sup>34</sup>

If these "approved theological treatises" are examined, one discovers, as Germain C. Grisez has shown in detail,<sup>35</sup> that no approved manual of theology ever authorized dissent from authoritative magisterial teaching. Some of them treated the question of *withholding internal assent* by a competent person who has serious reasons for doing so. The manuals taught that such a person ought to maintain silence and communicate the difficulty he experienced in assenting to the teaching in question to the magisterial teacher (pope or bishop) concerned.<sup>36</sup> In other words, these "approved theological treatises" to which the Theological Commission of Vatican Council II referred concerned bishops for guidance on the matter in no way supported public dissent from authoritative but noninfallibly proposed magisterial teaching. They spoke, not of *dissent*, but of *withholding assent*, which is something far different from dissent.

In fact, as Smith points out, the "early" Karl Rahner, in an article prepared for a theological commentary on the documents of Vatican Council II, had this to say in a commentary on the text from *Lumen Gentium*, n. 25, that we have been considering: "This magisterium . . . whose authority . . . varies widely . . . must be accepted with the basic respect due to the office in general and with an inner assent to its declarations. The text does not mention the possibility that in certain

cases, 'obedient silence' is enough, but since this is commonly held, it is certainly not excluded."<sup>37</sup>

In sum, Vatican Council II said nothing about a right to dissent. Its Theological Commission, in answering a question raised by only three bishops, referred them to approved theological manuals. These manuals in no way supported a right to public dissent from magisterial teaching. Rather, they noted that competent individuals might *withhold assent* from teachings that are not infallibly proposed and might maintain an "obedient silence," while communicating their reasons for withholding assent to appropriate magisterial authorities.

Consequently, when Curran and others (for instance, Gula) claim that approved theological manuals support public dissent from noninfallibly proposed magisterial teachings,<sup>38</sup> their claim turns out to be erroneous. Gula continues to make this claim,<sup>39</sup> but Curran, who originally made it, was forced to admit that "the perspective of the manuals concerning assent and dissent suffers from serious philosophical and theological limitations." According to him, "the manuals' analysis of the nature of assent is inadequate, and quite oblivious to the central questions raised by Newman in his *Grammar of Assent*."<sup>40</sup> Curran's position here is simply amazing. Whatever may be said of it, it surely constitutes a repudiation of his earlier claim that the manualists testify to a common teaching justifying dissent. I cannot here go into an analysis of Newman's teaching in his *Grammar of Assent*. But I do think it is pertinent to note that Newman in no way asserted a right of Catholics to dissent from authoritative teachings of the magisterium. Quite to the contrary, for he wrote, in speaking of conscience, that "the sense of right and wrong, which is the first element in religion, is so delicate, so fitful, so easily puzzled, obscured, perverted, so subtle in its argumentative methods, so impressible by education, so biased by pride and passion, so unsteady in its course that, in the struggle for existence amid the various exercises and triumphs of the human intellect, this sense is at once the highest of all teachers, yet the least luminous; and the Church, the Pope, the hierarchy are, in the divine purpose, the supply of an urgent demand."<sup>41</sup>

In the light of all this, I submit that the appeal by Curran and others to pre-Vatican II manuals of theology and to John Cardinal Newman to support their claim that public dissent from noninfallibly proposed magisterial teachings is legitimate is simply spurious and should hence be summarily dismissed.

Curran and others also claim that their affirmation of a right to

public dissent is warranted in view of Vatican Council II itself. They claim, in other words, that Vatican Council II itself supports dissent. Pressed to show how this claim is corroborated by conciliar documents, however, they acknowledge that there are no explicit conciliar texts supporting public dissent. But they go on to say, as Curran does, that "the very existence of the Council" supports dissent and that "post-Vatican II ecclesiology contemporizes the classic 'right to dissent' in a dialogic context."<sup>42</sup> Continuing, Curran maintains that "*Lumen Gentium*, *Gaudium et Spes*, and the *Decree on Ecumenism* of Vatican II articulate an ecclesiological atmosphere that differs basically from the rather hierarchical character of *Humanae Vitae*."<sup>43</sup> What can be said of this? First of all, we have already seen that there is no "classic right to dissent" found in pre-Vatican II theology. Second, nothing that the Council itself said supports a right to dissent, a point frankly admitted by Avery Dulles, who wrote, "the Council in its formal teaching did not advance the discussion of dissent beyond where it had been in the previous generation."<sup>44</sup> In fact, the revisionist theologians who support dissent from Church teaching now find fault with the ecclesiology of Vatican Council II! Thus, one of them, Richard McCormick, now claims that it is "widely, even if quietly, admitted in the [revisionist] theological community that this paragraph [n. 25 of *Lumen Gentium*] represents a very dated and discussable notion of the Church's teaching office."<sup>45</sup> So it thus seems to me that Curran's appeal to the "ecclesiology" of the documents of Vatican Council II to support public dissent from authoritative magisterial teaching is simply specious. As far as his appeal to the "ecclesiological atmosphere" of the conciliar documents is concerned, I think that the response of one scholar suffices to show its flimsiness: "'Ecclesiological atmosphere' — one expected a theological conclusion and suddenly found oneself in metaphysical meteorology."<sup>46</sup>

Revisionist theologians also claim that public dissent from magisterial teaching is warranted by the fact that in the past such teachings have been in error,<sup>47</sup> by the fact that dogma cannot develop unless such dissent is recognized,<sup>48</sup> and so forth. All these arguments have been examined at length by others, particularly by Grisez, and found wanting. As Grisez notes, there have been real errors in positions taken by the magisterium in the past, but in such instances the questions at issue were primarily ones of discipline or government, not doctrine (e.g., decrees of the Biblical Commission between 1905 and 1915).<sup>49</sup> When the questions at issue are doctrinal or moral (e.g.,

slavery, the question of religious liberty), it is arguable whether there were any errors when one considers precisely what was asserted by the magisterium in different contexts.<sup>50</sup> Grisez likewise shows that sound development in doctrine does not require dissent in order to take place.<sup>51</sup>

The position taken by Curran and other revisionist theologians is that frequently authoritative magisterial teaching on moral issues is in fact erroneous (e.g., the teaching on the inherent wickedness of contraception, the absolute immorality of all intentional killing of innocent human life, the absolute immorality of all freely chosen genital acts outside the marital covenant) and that the faithful are at liberty to dissent from such teachings whenever they have sufficiently good reasons for doing so. This position also claims that the views of theologians cannot simply be ignored, and that when large numbers of them teach that Catholics are free to set aside authoritative but noninfallibly proposed magisterial teachings and substitute for such teachings the views of theologians, the faithful act rightly in dissenting. Thus Curran, to support his dissenting views on such issues as contraception, appealed to the fact that “over 750 theologians in North America have signed a theological statement of support for me.”<sup>52</sup> Hence an appeal to theological peers is a final appeal by revisionist theologians to support their advocacy of dissent from authoritative but noninfallibly proposed magisterial teachings.

What is to be said of this? It can be said immediately that this is simply a self-serving appeal and that it has been formally repudiated by the magisterium. Thus, in an official response on March 13, 1975, to a similar appeal to theological opinion as a legitimate source to justify dissent from Church teaching on contraceptive sterilization, the Congregation for the Doctrine of the Faith had this to say: “The Congregation, while it confirms this traditional doctrine of the Church [on the absolute immorality of contraceptive sterilization], is not unaware of the dissent against this teaching from many theologians. The Congregation, however, denies that doctrinal significance can be attributed to this fact as such, so as to constitute a ‘theological source’ which the faithful might invoke and thereby abandon the authentic Magisterium, and follow the opinions of private theologians which dissent from it.”<sup>53</sup>

In other words, the claim made by Curran and others that “it is common teaching in the Church that Catholics may dissent from authoritative, noninfallible teachings of the magisterium when suffi-

cient reasons for doing so exist" is spurious, supported only by weak and tendentious arguments.

Moreover, this claim has recently been even more firmly rejected by the magisterium itself. In the 1990 *Instruction on the Ecclesial Vocation of the Theologian* to which reference has already been made, the Congregation for the Doctrine of the Faith takes up this matter in detail. The document, in doing so, provides a helpful commentary on the nature of the "religious submission of soul" or of "will and mind" that the Fathers of Vatican Council II said is to be given by the faithful, including theologians, to such authoritative but noninfallibly proposed magisterial teachings.

The *Instruction* clearly distinguishes between *questions* that theologians may raise about such teachings (nn. 24-31) and *dissent* from such teachings (nn. 32-41). It judges that questioning can be compatible with the "religious submission" required, but it firmly and unequivocally repudiates dissent from these teachings as incompatible with this "religious submission" and irreconcilable with the vocation of the theologian. Dissent from infallibly proposed teachings is *a fortiori* excluded.

The *Instruction* begins its discussion of the difference between questioning and dissent by stressing that "the willingness to submit loyally to the teachings of the Magisterium *per se* not irreformable must be the rule" (n. 24). It is most important to note this. Any questioning of these magisterial teachings must take place within the context provided by the religious submission of will and mind that is owed to those who hold a more-than-human authority within the Church. To be legitimate, questioning of noninfallibly proposed magisterial teachings must be rooted in a spirit of religious docility; an attitude of hostility toward the magisterium is excluded from the beginning. Given this spirit of docility, however, the *Instruction* recognizes the possibility that a "theologian may, according to the case, raise questions regarding the timeliness, the form, or even the contents of magisterial interventions of this kind" (n. 24). Although such questions may cause tensions to arise between theologians and the magisterium, these tensions "can become a dynamic factor, a stimulus, to both the Magisterium and theologians to fulfill their respective roles while practicing dialogue," so long as they "do not spring from hostile and contrary feelings" (n. 25). But, and this is very significant, "there should never be a diminishment [in the theologian] of that fundamental openness loyally to accept the teaching of the Magisterium as is fit-



ting for every believer by reason of the obedience of the faith," a readiness manifested by the theologian's willingness, "if need be, to revise his own opinions and examine the objections which his colleagues might offer him" (n. 29). Note that the *Instruction* obviously considers it proper for theologians to publish their "questions," for it speaks of their obligation to take seriously into account objections levelled against their views by other theologians and to revise their positions in the light of such criticism — and this is normally given only after a theologian has made his questions known by publishing them in professional theological journals.

The teaching of the *Instruction* on this matter is sound and helpful. As one can see, it confirms the position taken by the "approved authors" to whom those Fathers of Vatican Council II were referred who wanted further guidance on the meaning of the "religious submission," demanded by *Lumen Gentium*, to be given authoritative but noninfallibly proposed magisterial teachings. What this means is that theologians have the right, with respect to such teachings, to raise questions and propose alternatives that may seem opposed to them, *provided* that they are willing (a) to submit their conclusions to the criticism of their fellow theologians, (b) to revise their opinions in the light of this criticism, and (c) ultimately to accept the judgment of the magisterium. Ordinarily, I believe, theologians raise questions of this kind when they can appeal to other magisterial teachings that are more certainly and definitively taught with which they think the teaching questioned is incompatible.

Questioning of this kind is judged by the Congregation to be in accord with the religious submission of will and mind required by *Lumen Gentium*. But one is not, if one is to be faithful to Christ and to the Church, to assert that what the magisterium teaches is in fact false and that the faithful are at liberty to reject this teaching and for it substitute their own opinions or the opinions of theologians. But this is precisely what theological dissent entails.

The *Instruction* is very clear on this matter. After briefly describing the factors remotely or indirectly influencing dissent (n. 32), it notes the different forms dissent has taken. The most radical seeks to change the Church according to a protest patterned after political society. But "more frequently," the *Instruction* observes, dissent involves the claim that "the theologian is not bound to adhere to any Magisterial teaching unless it is infallible," and that the "theologian would accordingly be totally free to raise doubts or reject the non-infallible teaching of the



Magisterium, particularly in the case of specific moral norms" (n. 33). Here the *Instruction* quite accurately describes the kind of dissent that has taken place over the past quarter century. Its description of dissent is similar to that given of it by Curran and his associates in 1969 and cited above, namely, that "Catholics may dissent from authoritative, noninfallible teachings of the magisterium when sufficient reasons for doing so exist." But Curran and his colleagues claimed that this was "common teaching in the Church," whereas the *Instruction* rightly repudiates this claim and holds that dissent of this kind is utterly irreconcilable with Church teaching and the vocation of the theologian. The faithful ought never to prefer the opinions of theologians, however learned, to the authoritative teaching of those who have been invested with the more-than-human authority to teach in Christ's name.<sup>54</sup>

Theologians, as theologians, are not "pastors" within the Church. They have not been given the mission, with both the responsibility and the right, to instruct the faithful in "all that serves to make the People of God live their lives in holiness and increase their faith" (*Dei Verbum*, n. 8). This mission has been entrusted exclusively to those who succeed to what is communicable in the apostolic office, i.e., it has been entrusted to the divinely instituted pastoral magisterium of the bishops in union with and under the headship of the Holy Father, Peter's successor and Christ's vicar. When they usurp the pastoral office, theologians act wrongly and do a grave disservice to the Church. But this is precisely what is done when they allege that they have a "right" to dissent from the authoritative teachings of the magisterium, replacing them with their own opinions and encouraging the faithful to set aside what pope and bishops teach in Christ's name and put in its place their own views.

The issue, ultimately, is this: Who speaks for the Church? Who has the authority to speak in the name of Christ and to settle disputes that may arise within his family? The Catholic answer to this question is that this authority is vested, by the will of Christ himself, in the pope and bishops in communion with the Holy Father. This body has the responsibility to judge on everything that affects the holiness and life of those who have, through baptism, become one with Christ. While it is legitimate for Catholics, including theologians, to raise questions about some teachings that are not irreformably or infallibly proposed, it is not right for them to arrogate to themselves the office entrusted by Christ to the pope and bishops in union with him. It is not legitimate for them to assert that what these teachers proclaim in Christ's name is

definitely false, that their teachings can be set aside, and that views contradicting them can be adopted as practical norms of Christian life. It is *a fortiori* seriously wrong when theologians encourage the faithful to depart from teachings that have been infallibly proposed. And, as we have seen, the core of Catholic moral teaching, as found in the precepts of the Decalogue, as these have been traditionally understood within the Church — as excluding absolutely and unexceptionally all intentional killing of the innocent, all freely chosen genital sex outside the marital covenant, etc. — has been infallibly proposed.

The moral teachings of the magisterium are to be looked upon not as legalistic rules but as precious truths intended to enable the faithful to come to know who they are and what they are to do if they are to be fully the beings God wants them to be: his faithful children, ready to walk worthily in the vocation to which they have been called, ready to follow the call to participate in Christ's redemptive work.

### **Notes for Chapter Six**

1. "The task of authentically interpreting the word of God, whether written or handed on, has been entrusted exclusively to the teaching office of the Church, whose authority is exercised in the name of Christ" (*Dei Verbum*, n. 10).

2. Thomas Aquinas, *In IV Sententiarum*, d. 19, q. 2, a. 2, qua. 2, ad 4.

3. See, for example, Avery Dulles, S.J., *The Survival of Dogma* (New York: Doubleday, 1973), p. 102, where he emphasizes the "jurisdictional" supremacy of bishops. In the same work (p. 108) and in his presidential address to the Catholic Theological Society of America in 1976, "The Theologians and the Magisterium," *Catholic Theological Society of America: Proceedings of the Thirty-First Annual Convention* 31 (1976) 235-246, he *seems* at times to see the role of the ecclesial magisterium as being concerned with "good order" in the Church and not so much with the truth. However, in other places (e.g., *Survival of Dogma*, p. 100) he clearly acknowledges that the magisterium of bishops in union with the pope has the final "say" on matters of faith and morals insofar as they express the mind of Christ.

4. Dulles, *Survival of Dogma*, p. 108.

5. *Ibid.*, p. 100. Also see Dulles's essay, "*Successio apostolorum — successio prophetarum — successio doctorum*: Who Has the Say in the Church?" *Concilium*, Vol. 148 (New York: Seabury, 1981), p. 62,

where he says: "Without unified authoritative leadership, the Church would disintegrate into a plurality of movements having, indeed, a certain common inspiration but incapable of adopting a clear corporate stand on any controversial issue" (p. 62).

6. On this, see notes 1 and 3 above. Also see the helpful essay of Ronald E. Lawler, O.F.M. Cap., "The Magisterium and Catholic Moral Teaching," in *Persona, Verità, e Morale: Atti del Congresso Internazionale di Teologia Morale (Roma, 7-12 aprile, 1986)* (Rome: Citta Nuova Editrice, 1987), pp. 217-233.

7. This is admitted, for instance, by Richard M. Gula, a typical representative of revisionist moral theology. See his *Reason Informed by Faith: Foundations of Catholic Morality* (New York: Paulist Press, 1989), p. 158; cf. p. 209.

8. Charles E. Curran, Robert E. Hunt, and the "Subject Professors," with John Hunt and Terence Connelly, *Dissent in and for the Church: Theologians and "Humanae Vitae"* (New York: Sheed and Ward, Inc., 1969), p. 26; cf. Curran, "Humanae Vitae: Ten Years Later," *Commonweal* 105 (July 7, 1978) 429; Daniel Maguire, "Morality and the Magisterium," *Cross Currents* 18 (Winter, 1968) 41-65; Gula, *Reason Informed by Faith*, pp. 209-210.

9. Curran et al., *Dissent in and for the Church*, p. 63. Curran and his associates erroneously give the number of the relevant canon as 1223. The correct number is 1323 in the 1917 Code.

10. *Code of Canon Law* (1983 ed.; Rome: Typis Polyglottis Vaticanis, 1983), canon 749, n. 2. See also Vatican Council I, DS 3011.

11. Francis Sullivan, S.J., *Magisterium: Teaching Authority in the Church* (New York: Paulist Press, 1983), pp. 150-151. Sullivan notes that Curran, Franz Böckle, Bruno Schüller, Bernard Häring, and many other theologians agree with this way of expressing the matter.

12. *Ibid.*, pp. 151-152.

13. *Ibid.* See also pp. 166-173 and 215-216 where Sullivan claims that specific moral issues are beyond the range of infallible teachings. Sullivan's claim has been devastatingly criticized by Germain Grisez, "Infallibility and Specific Moral Norms: A Review Discussion," *Thomist* 49 (1985) 255-271. Moreover, James O'Connor has conclusively shown that Sullivan's interpretation of the famous "Relatio" of Bishop Gasser at Vatican Council I — an interpretation central to Sullivan's claims — is quite mistaken. On this latter point, see James O'Connor, *The Gift of Infallibility* (Boston: St. Paul Editions, 1986).

14. See above, pp. 117-119.
15. Karl Rahner, S.J., *Theological Investigations*, Vol. 14, *Eccelesiology, Questions in the Church, the Christian in the World*, trans. David Bourke (New York: Seabury, 1976), p. 14.
16. *Ibid.*, pp. 14-15. An excellent and devastating critique of Rahner's anthropology is provided by Cornelio Fabro, *La svolta antropologia di Karl Rahner* (Milan: Rusconi, 1974), especially pp. 87-121.
17. See above, p. 118.
18. E.g., Germain Grisez, John Ford, S.J., et al. Here a key text is Germain Grisez and John Ford, "Contraception and the Infallibility of the Ordinary Magisterium," *Theological Studies* 39 (1978) 258-312. See also Grisez's "Infallibility and Specific Moral Norms."
19. St. Augustine, *Quaestiones in Ex.* 9, PL 31.622.
20. Peter Lombard, *Libri IV Sententiarum*, III, d. 37, c. iv.: " 'non moechaberis,' id est, 'ne cuilibet miscearis excepto foedere matrimonii. A parte enim totum intelligitur. Nomine ergo 'moechia' omnis concubitus illicitus illorum membrorum . . . debet intelligi." See also *ibid.*, IV, d. 28, c. ii. On this matter, see Ronald Lawler et al., *Catholic Sexual Ethics: A Summary, Explanation, and Defense* (Huntington, IN: Our Sunday Visitor, Inc., 1985), pp. 31-56.
21. *Roman Catechism*, translated and annotated by Robert Bradley, S.J., and Eugene Kevane (Boston: St. Paul Editions, 1983).
22. Cited by Bradley and Kevane in their introduction to the *Roman Catechism*, p. vii.
23. *Documents of Vatican Council I*, trans. John F. Broderick, S.J. (Collegeville, MN: Liturgical Press, 1971), p. 38.
24. *Roman Catechism*, p. 351.
25. *Ibid.*, pp. 420-422.
26. *Ibid.*, pp. 411-413.
27. Karl Rahner, S.J., *Nature and Grace: Dilemmas in the Modern Church* (London: Sheed and Ward, 1963), pp. 51-52.
28. Curran et al., *Dissent in and for the Church*, p. 26.
29. See his *Free and Faithful Dissent* (Kansas City, MO: Sheed and Ward, Inc., 1987), *passim*.
30. Gula, *Reason Informed by Faith*, pp. 207-217; Timothy E. O'Connell, *Principles for a Catholic Morality* (New York: Seabury, 1978), pp. 93-97.
31. William B. Smith, "The Question of Dissent in Moral Theology," in *Persona, Verità, e Morale*, pp. 235-254, at 233. Smith's essay

is most worthwhile. He published a somewhat expanded version under the title "Is Dissent Legitimate?" *Social Justice Review* 77.9 and 10 (September/October, 1986) 164-169, 181.

32. Ibid., p. 235.

33. *Acta Synodalia Concilii Oecumenici Vaticani Secundi*, III/8 (Rome: Typis Polyglottis Vaticanis, 1976), n. 159, p. 88.

34. Smith, "The Question of Dissent," p. 239.

35. Grisez, *The Way of the Lord Jesus*, Vol. 1, *Christian Moral Principles* (Chicago: Franciscan Herald Press, 1983), pp. 853, 867-869, notes 38, 39, 40, 41, and 42; cf. pp. 873-874.

36. See Smith, "The Question of Dissent," p. 239.

37. Rahner, in *Commentary on the Documents of Vatican Council II*, ed. Herbert Vorgrimler, trans. K. Smyth, Vol. 1 (New York: Herder and Herder, 1967), p. 209; cited by Smith, "The Question of Dissent," p. 239.

38. Curran et al., *Dissent in and for the Church*, p. 26.

39. Gula, *Reason Informed by Faith*, pp. 208, 218, n. 9.

40. Curran et al., *Dissent in and for the Church*, pp. 47-48.

41. John Henry Cardinal Newman, *Letter to the Duke of Norfolk*, cited by the bishops of Ireland in their pastoral letter on conscience, 1975, *Conscience and Morality*, n. 20.

42. Curran et al., *Dissent in and for the Church*, p. 119.

43. Ibid., p. 124.

44. Dulles, *The Resilient Church* (New York: Doubleday, 1977), p. 109.

45. Richard A. McCormick, S.J., *Notes on Moral Theology 1965-1980* (Lanham, MD: University Press of America, 1980), p. 667.

46. Grisez, *Christian Moral Principles*, p. 874.

47. In *Readings in Moral Theology*, No. 3, *The Magisterium and Morality*, ed. Charles E. Curran and Richard A. McCormick (New York: Paulist Press, 1985), a number of revisionist theologians, among them Daniel Maguire and Bruno Schüller, argue that dissent is warranted because of "errors" in past magisterial teaching, particularly, so they claim, on the subject of religious liberty. See pp. 29-30, 45-46.

48. Gula, *Reason Informed by Faith*, pp. 207-216.

49. Grisez, *Christian Moral Principles*, pp. 883-885.

50. Ibid., pp. 891-894, 899-900.

51. Ibid., pp. 901-902.

52. Curran, *Origins* 15 (8/20/86) 667-680.

53. Congregation for the Doctrine of the Faith, "Responsa ad

quasita Conferentiae Episcopalis Americae Septentrionalis circa sterilizationem in nosocomiis Catholicis,” March 13, 1975, in *Acta Apostolicis Sedis* 68 (1976) 739.

54. On this, see St. Thomas Aquinas, *Quodlibetum* IX, q. 8: “we must abide by the pope’s judgment rather than by the opinion of any theologian, however well versed he may be in divine Scriptures.”

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### **About the Author**

William E. May was recently appointed the Michael McGivney Professor of Moral Theology at the Pope John Paul II Institute for Studies on Marriage and Family. Previously, he was professor of moral theology at The Catholic University of America. The author and co-author of many books, among them **Our Sunday Visitor's Catholic Sexual Ethics**, Professor May lectures widely on topics of Catholic moral theology. He served as a member of the International Theological Commission at the 1987 Synod of Bishops and is active in many professional associations.



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